

**Press and Outreach Update: May 8-9, 2023**

Press
<ul style="list-style-type: none"><li>• <a href="#">Colorado will license paraprofessionals to perform limited legal work (abajournal.com)</a></li><li>• <a href="#">Colorado Judicial Branch - Media - Press Releases (state.co.us)</a></li><li>• <a href="#">Colorado Rule re legal paraprofessional.pdf   Powered by Box</a></li></ul>
Statistics
LLLT Statistics: <ul style="list-style-type: none"><li>▪ <b>Active LLLTs: 79</b></li><li>▪ <b>Inactive LLLTs: 7</b></li><li>▪ <b>Suspended LLLTs: 1</b></li><li>▪ <b>LLLTs currently in pipeline: 4</b></li></ul>
Meetings/Events
Upcoming Events: <ul style="list-style-type: none"><li>▪ July 10, 2023, LLLT Board meeting via video conference</li><li>▪ September 11, 2023, in-person LLLT Board meeting</li></ul>



# Colorado Supreme Court approves creation of legal paraprofessional license

Monday, March 27, 2023

DENVER – The Colorado Supreme Court has approved the licensure of legal paraprofessionals in a new rule that is designed to make legal representation more widely available and more affordable to people in certain domestic-relations matters.

With approval of the new Rule 207 of the Colorado Rules of Civil Procedure, the state becomes one of five that will issue some form of limited license for non-lawyers to practice law. As of September 2022, the other four states are Arizona, Minnesota, Oregon, and Utah; Washington and California both developed limited-license programs, but neither is actively licensing non-lawyers, according to the American Bar Association.

Under the rule, licensed legal paraprofessionals (LLPs) may complete and file standard pleadings, and represent their clients in mediation. They also may accompany their clients to court and answer a court's factual questions, though they may not present oral argument or examine witnesses in a hearing.

In Fiscal Year 2022, 74 percent of parties involved in Colorado domestic-relations cases such as marriage dissolution and allocation of parental responsibility represented themselves.

"Making it easier for people to secure legal representation in these often difficult matters has been a long-term goal of our commitment to ensuring access to justice for all Coloradans," said Colorado Supreme Court Chief Justice Brian D. Boatright. "Allowing non-lawyers to provide limited legal representation for people who otherwise couldn't afford it will not only help those litigants, but it will help the courts efficiently and effectively handle their cases."

LLPs will have to pass a written examination to be administered by the Office of Attorney Regulation Counsel and will be subject to character and fitness standards similar to those required of licensed attorneys.

By the time an applicant takes the LLP examination, the applicant must meet certain educational requirements and have completed 1,500 hours of substantive law-related practical experience, including 500 hours of experience in Colorado family law, within the three years immediately preceding the date of the examination. The Court approved an exception to the educational requirements for individuals who have worked for three years in family law.

Applicants also will have to pass an ethics class, pass a professional conduct exam, and complete continuing legal education requirements, and they will be subject to a complaint and discipline process similar to that of licensed attorneys.

The Colorado Supreme Court in 2021 charged the Advisory Committee on the Practice of Law with developing a plan to license legal paraprofessionals. A subcommittee made up of current and former judges, family law lawyers, an experienced family law paralegal/mediator, a family court facilitator, the Attorney Regulation Counsel, and the Chair of the Advisory Committee developed the rule, which was subject to public comment before the Supreme Court approved the final version. The first LLPs could receive their licenses in July 2024.

Rule 207 is available for viewing at

[https://www.courts.state.co.us/userfiles/file/Court\\_Probation/Supreme\\_Court/Rule\\_Changes/2023/Rule%20Change%202023\(06\).pdf](https://www.courts.state.co.us/userfiles/file/Court_Probation/Supreme_Court/Rule_Changes/2023/Rule%20Change%202023(06).pdf).

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ACCESS TO JUSTICE

## Colorado will license paraprofessionals to perform limited legal work

BY DEBRA CASSENS WEISS ([HTTPS://WWW.ABAJOURNAL.COM/AUTHORS/4/](https://www.abajournal.com/authors/4/))

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The Colorado Supreme Court has approved a new rule

([https://www.courts.state.co.us/userfiles/file/Court\\_Probation/Supreme\\_Court/Rule\\_Changes/2023/Rule%20Change%202023\(06\).pdf](https://www.courts.state.co.us/userfiles/file/Court_Probation/Supreme_Court/Rule_Changes/2023/Rule%20Change%202023(06).pdf)) that allows licensed nonlawyer paraprofessionals to perform limited legal work in some divorce and child-custody matters.

Paraprofessionals will be allowed to complete and file standard pleadings, represent their clients in mediation, accompany their clients to court and answer a court's factual questions, according to a March 27 press release (<https://www.courts.state.co.us/Media/release.cfm?id=2033>). But they may not present oral arguments or examine witnesses in a hearing.

The Denver Post (<https://www.denverpost.com/2023/03/27/colorado-licenced-legal-paraprofessional-family-law-program-created-supreme-court>), Law360 (<https://www.law360.com/legaethics/articles/1591238/colo-supreme-court-oks-legal-paraprofessional-licenses>) and Colorado Politics ([https://www.coloradopolitics.com/courts/colorad-supreme-court-enacts-groundbreaking-legal-paraprofessional-framework/article\\_e425693e-cdbe-11ed-821c-67fb807023a2.html](https://www.coloradopolitics.com/courts/colorad-supreme-court-enacts-groundbreaking-legal-paraprofessional-framework/article_e425693e-cdbe-11ed-821c-67fb807023a2.html)) have coverage of the new rule, which takes effect July 1.

The program is intended to make legal representation more widely available and more affordable in certain domestic relations matters, according to the press release. The release cited a statistic: In fiscal year 2022, 74% of parties involved in divorce and parenting-responsibility cases did not have legal



*Image from Shutterstock.*

representation.

To obtain a license, the would-be paraprofessional will have to pass a written licensed legal paraprofessionals exam, submit to a character and fitness review, pass an ethics class, and pass a professional conduct exam. They will also have to complete 1,500 hours of law-related practical experience, including 500 hours of experience in Colorado family law. A discipline process will be similar to the one for lawyers.

Other states with active licensing programs for paraprofessionals are Arizona

(<https://www.abajournal.com/web/article/arizona-approves-alternative-business-structures-as-part-of-access-to-justice-reforms>),

Minnesota, Oregon and Utah (<https://www.abajournal.com/web/article/utah-embraces-nonlawyer-ownership-of-law-firms-as-part-of-broad-reforms>), according to the press release. Washington also created a program but has voted to sunset it (<https://www.abajournal.com/web/article/how-washingtons-limited-license-legal-technician-program-met-its-demise>).

California has considered a program, but lawmakers halted work (<https://www.calbar.ca.gov/About-Us/Who-We-Are/Archived-Committees/California-Paraprofessional-Program-Working-Group>) on the proposal.



# WA State Fair Concerts

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**WASHINGTON STATE**  
**BAR ASSOCIATION**  
Office of the Executive Director

April 21, 2023

BY EMAIL ONLY

Hon. Steven González  
Chief Justice  
Washington Supreme Court

Hon. Charles W. Johnson  
Associate Chief Justice  
Washington Supreme Court

Hon. Mary I. Yu  
Justice  
Washington Supreme Court

RE: Per Order Number 25700-A-1495, proposed changes to APR 28

Dear Chief Justice González,

At the September 2022 Board of Governors Meeting, the Limited License Legal Technician (LLLT) Board presented proposed amendments to the Admission and Practice Rules (APR) 28 and sought support from the Board of Governors. The Board of Governors voted to recommend to the Court that it deny the proposed amendments.

Sincerely,



Terra Nevitt  
Executive Director

CC: Daniel D. Clark, 2022-2023 WSBA President  
Steve Crossland, LLLT Board Chair



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*Changes to WSBA Fiscal Policies  
Effective February 15, 2023*

**Chapter 6: Expenses**

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As part of a routine policy review process, the Board of Governors approved revisions to the **WSBA Fiscal Policies** in September, 2022. Of note to WSBA volunteers, the updated policies included changes to expense policies (Chapter 6), which went into effect on February 15, 2023. Below is a summary of key changes to **Chapter 6: Expenses** most relevant to WSBA volunteers. If you have any questions about the fiscal policies, please reach out your staff liaison.

We encourage volunteers to review the full set of fiscal policies [here](#).

**Summary of Key Changes to Chapter 6: Expenses**

**Liability (I.B):** Added - language in the event a liability is incurred outside of the policy by a volunteer, board member, etc., the Director of Finance will evaluate it for appropriateness and if appropriate, it will be forwarded to the Executive Director or Treasurer for approval. If deemed not appropriate, volunteer is responsible for liability.

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**Policy Exceptions (I.C):** WSBA ABA Delegate expenses - changed from a fixed reimbursement amount to a variable reasonable amount necessary to the attend midyear and annual meetings only. Delegates are to seek reimbursement from ABA first and then WSBA for remaining expenses.

Section Executive Committees - group meals purchased for the entire group are not subject to per diem amounts for individuals but must be reasonable in cost.

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**Transportation (I.F):** Ground Transportation - added language that WSBA will reimburse tips for no more than 10% the cost of the trip and in the case when 10% tip is less than \$2.00, amount can be adjusted to \$2.00. Removed the section for Ride Share Expenses (this is covered as part of Ground Transportation).

Ground Transportation - clarified existing policy by adding language that states volunteers are not covered under WSBA insurance policies and must provide their own insurance coverage when renting vehicles.

Added Section I.F.6 - if there is any question about reasonableness of a travel expense, it should be escalated to the appropriate department director for review and determination.

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**Lodging/Hotel Accommodations (I.G):** Increased – room rate limit to \$200 per night and \$225 in Seattle, plus taxes (previously \$175/\$200 in Seattle).

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**Meal Expenses (I.H):** Change - prior policy outlined specific dollar limits for each meal in accordance with IRS limits. This resulted in the need to update the fiscal policies each time the IRS limits changed. The revised policy eliminates reference to specific dollar limits and instead references current per diem rates published by IRS. Additionally, the fiscal policies state that meal expenses up to the maximum per diem limits for the State of Washington state is considered reasonable for reimbursement. Reimbursement requests *above* the maximum per diem

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limits should be reasonable and prudent given the circumstances and should be escalated to the appropriate department director for determination of reasonableness and approval.

Added - If a meeting is remote, at least 4 hours in duration, and is scheduled through a meal period, then standard meal reimbursement rates will apply.

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**Gifts (I.I.2):** Increased – gift limit from \$100 to \$150.

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**Purchase of Alcohol for Bar Functions (II.):** Added - WSBA funds may be used to pay ancillary costs at events such as bartender, corkage fees for donated alcohol, and service/set up fees.

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#### **IV. Expense policies for Officers and Board of Governors**

**Officer and Governor Travel to Attendance at National/Regional Events (IV.C.1):** Officer Conferences - President, President-elect, Past President, and Treasurer can attend 3 conferences (2 previously) and the Western States Bar Conference. All four may also attend NW Bar Leaders meeting (previously just President and President-elect).

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[View the Complete WSBA Fiscal Policy](#)

For questions, please email [boardfeedback@wsba.org](mailto:boardfeedback@wsba.org)



**RULE CHANGE 2023(06)**

**RULES GOVERNING ADMISSION TO THE PRACTICE OF LAW IN COLORADO**

**Rules 207, 207.1, 207.2, 207.3, 207.4, 207.5, 207.6, 207.7, 207.8, 207.9, 207.10, 207.11,  
207.12, 207.13, and 207.14**

**Rule 207. Licensed Legal Paraprofessionals**

## **Rule 207.1. Licensed Legal Paraprofessionals' Scope of Authority to Practice**

**(1) Licensed Legal Paraprofessionals ("LLPs") are individuals licensed by the Supreme Court pursuant to this rule to perform certain types of legal services only under the conditions set forth by the Court. They do not include individuals with a general license to practice law in Colorado.**

**(2) An LLP's scope of licensure is limited as follows:**

**(a) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a legal separation, declaration of invalidity of marriage, or dissolution of a marriage or civil union.**

**(b) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in an initial allocation of parental responsibility ("APR") matter, including parentage determinations, that is not part of a dissolution of a marriage or civil union.**

**(c) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a matter involving modification of APR regardless of whether the initial APR was part of a dissolution of a marriage or civil union, or modification of child support and/or maintenance.**

**(d) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in any of the following matters: protection orders, name changes, and adult gender designation changes.**

**(e) An LLP's authority to practice law under any section of this rule includes filing and responding to motions for remedial contempt citations under C.R.C.P. 107.**

**(f) Even if an LLP is authorized to represent a client pursuant to sections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e), an LLP is not authorized to represent a client in any of the following:**

**(i) the registration of foreign orders;**

**(ii) motions for or orders regarding punitive contempt citations under C.R.C.P. 107;**

**(iii) matters involving an allegation of common law marriage;**

**(iv) matters involving disputed parentage where there are more than two persons asserting or denying legal parentage;**

**(v) matters in which a non-parent's request for APR is contested by at least one parent;**

**(vi) preparation of or litigation regarding pre- or post-nuptial agreements;**

**(vii) matters in which a party is a beneficiary of a trust and information about the trust will be relevant to resolution of the matter;**

**(viii) matters in which a party intends to contest jurisdiction of the court over the matter;**

**(ix) the preparation by the LLP of a qualified domestic relations order ("QDRO") or other document allocating retirement assets that are not liquid at the time of the matter;**

(x) the preparation by the LLP of documents needed to effectuate the sale or distribution of assets of a business entity or commercial property;

(xi) matters in which an expert report or testimony is required to value an asset or determine income due to the inherent complexity of the asset or income at issue; or

(xii) issues collateral to, but directly affecting, a matter which falls within the LLP's scope of practice when such issues require analysis and advice outside that scope of practice, such as immigration, criminal, and bankruptcy issues that could directly affect the resolution of the matter.

(g) Within the types of matters and authorizations to practice law identified in section (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e) of this rule, an LLP who is in good standing may represent the interests of a client by:

(i) establishing a contractual relationship with the client;

(ii) interviewing the client to understand the client's objectives and obtaining information relevant to achieving that objective;

(iii) informing, counseling, advising, and assisting the client in determining which form (among those approved by the Judicial Department or the Supreme Court) to use as the basis for a document in a matter, and advising the client on how to complete a form or provide information for a document;

(iv) preparing and completing documents using forms approved by the Judicial Department or the Supreme Court, including proposed parenting plans, separation agreements, motions or stipulations for child support modification, child support worksheets, proposed orders, non-appearance affidavits, discovery requests and answers to discovery requests, trial management certificates, pretrial submissions, and exhibit and witness lists;

(v) obtaining, explaining, and filing any document or necessary information in support of a form or other document, including sworn financial statements and certificates of compliance;

(vi) signing, filing, and completing service of documents;

(vii) reviewing documents of another party or documents and forms prepared by a pension or retirement plan which allocate pension or retirement benefits pursuant to a decree of dissolution, and explaining them to the client;

(viii) informing, counseling, assisting and advocating for a client in negotiations with another party or that party's representative and in mediations;

(ix) filling in, signing, filing, and completing service of a written settlement agreement in conformity with the negotiated agreement;

(x) communicating with another party or the party's representative regarding documents prepared for or filed in a case and matters reasonably related thereto;

(xi) communicating with the client regarding the matter and related issues;

(xii) explaining a court order that affects the client's rights and obligations;

(xiii) standing or sitting at counsel table with the client during a court proceeding to provide emotional support, communicating with the client during the proceeding, answering questions posed by the court, addressing the court upon the court's request, taking notes, and assisting the client in understanding the proceeding and relevant orders;

(xiv) providing clients with information about additional resources or requirements, such as parenting education classes, and filing certificates of completion with the court; and

(xv) advising clients regarding the need for a lawyer to review complex issues that may arise in a matter.

(h) An LLP is not authorized to conduct an examination of a witness. The LLP may only address the court pursuant to section (2)(g)(xiii) of this rule.

(i) Limits on the activities that can be performed or matters that can be undertaken by an LLP under this rule do not, by themselves, require the LLP to withdraw from the representation of a client if the LLP can provide authorized services to that client. Nothing in this rule precludes a client of an LLP from retaining a lawyer or acting pro se in the same matter in which the client has retained an LLP when an activity, task or issue is outside the LLP's authorized scope of practice.

### **Rule 207.2. Supreme Court Jurisdiction**

The Supreme Court exercises jurisdiction over all matters involving the licensing and regulation of those persons who practice law in Colorado. Accordingly, the Supreme Court has adopted the following rules governing admission to the practice of law by licensed legal paraprofessionals (LLPs) in Colorado.

### **Rule 207.3. Supreme Court Advisory Committee on the Practice of Law**

(1) The Supreme Court Advisory Committee on the Practice of Law (Advisory Committee) is a permanent committee of the Supreme Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the LLP regulation process.

(2) The Advisory Committee shall have oversight over the LLP admissions process.

(3) The Advisory Committee shall recommend to the Supreme Court proposed changes or additions to the rules of procedure governing admission to the practice of law by LLPs.

(4) The Advisory Committee shall review the productivity, effectiveness and efficiency of all matters involving the admission of LLPs to practice law in the state of Colorado.

### **Rule 207.4. Licensed Legal Paraprofessionals Committee**

(1) Licensed Legal Paraprofessionals (LLP) Committee. The LLP Committee will serve as a permanent committee of the Supreme Court.

(a) **Members.** The LLP Committee will consist of eleven volunteers appointed by the Supreme Court. For at least the first four years from the date of adoption of this rule, at least six members must be Colorado licensed attorneys and at least two members must be non-attorneys. With the exception of the chair and vice-chair, members will be appointed for an initial term of two, three or four years, and may serve up to two terms. Diversity will be a consideration in making the appointments. The terms of the members of the LLP Committee will be staggered to provide, so far as possible, for the expiration each year of the term of one member. All members, including the chair and vice-chair, serve at the pleasure of and may be dismissed at any time by the Supreme Court. A member of the LLP Committee may resign at any time.

(b) **Chair and Vice-Chair.** The Supreme Court will designate two members of the LLP Committee to serve as its chair and vice-chair for unspecified terms. The chair will exercise overall supervisory control of the Committee. The chair will also be a member of the Advisory Committee.

(c) **Powers and Duties.** The LLP Committee will:

(i) Oversee the administration of written examinations concerning substantive and procedural law and ethical responsibilities each year, at such times and places as may be designated by the Supreme Court;

(ii) Make recommendations to the Supreme Court regarding passing scores for the written examinations;

(iii) Oversee the process of grading the written examinations to ensure uniformity and quality of grading;

(iv) Oversee other regulatory functions specific to LLP applications and the practice of law by LLPs as provided in the rules within Rule 207.

(v) Periodically report to the Advisory Committee on the operations of the LLP Committee;

(vi) Make recommendations to the Advisory Committee regarding proposed changes or additions to rules that concern the functions of the LLP Committee; and

(vii) Adopt such practices as may from time to time become necessary to govern the internal operation of the LLP Committee.

(2) **Character and Fitness Committee.** The Character and Fitness Committee established by C.R.C.P. 202.3, which serves as a permanent committee of the Supreme Court with the powers and duties set forth by that rule, will exercise the same powers and perform the same duties relative to the admission of LLPs:

(i) To enforce the character and fitness standards set forth in C.R.C.P. 208 in the review of all LLP applications for admission to the practice of law in Colorado;

(ii) To participate in inquiry panels as set forth in C.R.C.P. 208.4;

(iii) To participate on hearing boards empaneled by the Office of the Presiding Disciplinary Judge pursuant to C.R.C.P. 209.2;

(iv) To periodically report to the Advisory Committee on the operations of the Character and Fitness Committee;

(v) To make recommendations to the Advisory Committee regarding proposed changes or additions to rules that concern the functions of the Character and Fitness Committee; and

(vi) To adopt such practices as may from time to time become necessary to govern the internal operations of the Character and Fitness Committee.

### **Rule 207.5. Attorney Regulation Counsel**

The Attorney Regulation Counsel will maintain and supervise a permanent office, hereinafter referred to as the Office of LLP Admissions, to serve as a central office for (a) the filing and processing of all applications for admission, certification, and other authorization to practice law in Colorado; (b) the administration of the Colorado bar examination and LLP examinations; (c) the investigation of all applicants' character and fitness; and (d) the certification to the Supreme Court of applicants' qualifications to practice law in Colorado. The Attorney Regulation Counsel shall administer all LLP admission functions as part of a budget approved by the Supreme Court.

### **Rule 207.6. Immunity**

(1) Committees, Staff, and Volunteers. Persons performing official duties under the provisions of this chapter, including but not limited to the Advisory Committee and its members, the LLP Committee and its members, the Character and Fitness Committee and its members, the Attorney Regulation Counsel and staff, the Presiding Disciplinary Judge and staff, members of hearing boards, and other enlisted volunteers are immune from suit for all conduct performed in the course of their official duties.

(2) Other Participants in Admission Proceedings. Testimony, records, statements of opinion and other information regarding an applicant for LLP admission communicated by any person or entity to the Advisory Committee or its members, the LLP Committee or its members, the Character and Fitness Committee and its members, the Attorney Regulation Counsel or staff, the Presiding Disciplinary Judge or staff, members of hearing boards, the Colorado Lawyer Assistance Program or staff, or other volunteers are absolutely privileged, and no lawsuit will be predicated thereon. If the matter is confidential as provided in these rules, and if the person or entity who testified or otherwise communicated does not maintain confidentiality, then the testimony or communications shall be qualifiedly privileged, such that an action may lie against a person or entity who provided the testimony or communications in bad faith or with reckless disregard of its truth or falsity.

### **Rule 207.7. General Provisions**

(1) Application Forms. All applications for a license to practice law as an LLP in Colorado will be made on forms furnished by the Office of LLP Admissions. The application forms will require such information as is necessary to determine whether the applicant meets the requirements of these rules, together with such additional information as is necessary for the efficient

administration of these rules. Applicants must answer all questions completely, and must provide all required documentation. The Office of LLP Admissions may, in its discretion, reject an incomplete application or place an incomplete application on hold until all required information is produced.

(2) Confidentiality. Information contained on applications for a license to practice law as an LLP in Colorado will be deemed confidential and may be released only under the conditions for release of confidential information established by C.R.C.P. 211.1.

**(3) Duty to Supplement.**

(a) Applicants must immediately update the application with respect to all matters inquired of. This duty to supplement continues in effect up to the time an applicant takes the oath of admission. Updates must be reported in a manner consistent with the Office of LLP Admissions' requirements.

(b) Failure to timely supplement a pending application may result in the denial of the application, a review of such failure as a character and fitness issue, or if the person has already been admitted as an LLP in Colorado, discipline or revocation of the person's LLP license.

(4) Fees. All applicants must pay a fee in an amount fixed by the Supreme Court. The fee must be paid when the application is submitted.

(5) Admission as an LLP. An applicant who qualifies for admission as an LLP under this rule, and who meets the character and fitness requirements set forth in C.R.C.P. 208, shall be admitted to the practice of law as an LLP in Colorado in the manner prescribed by these rules.

(6) Disbarred Attorneys or Legal Paraprofessionals. A person who has been disbarred from the practice of law in any jurisdiction, or who has resigned pending disciplinary proceedings in any jurisdiction, is not eligible to apply for admission to the practice of law as an LLP in Colorado until the person has been readmitted in the jurisdiction in which the person was disbarred or resigned.

(7) Suspended Attorneys or Legal Paraprofessionals. A person who has been suspended for disciplinary purposes from the practice of law in any jurisdiction is not eligible to apply for admission to the practice of law as an LLP in Colorado until the period of suspension has expired and the person has been reinstated to the practice of law in the jurisdiction in which the person was suspended.

(8) Mandatory LLP Professionalism Course. All applicants under these rules, unless otherwise exempted, must complete a required course on professionalism specific to LLPs presented by the Office of Attorney Regulation Counsel. Continuing legal education credit will be applied to the LLP's first compliance period pursuant to C.R.C.P. 250.2(1). Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

**Rule 207.8. Applications for Colorado LLP Admission**

(1) All LLP applicants must, as a condition of admission, take and pass the Colorado LLP examinations, which includes testing on family law and professional conduct rules, and any other



topics designated by the Supreme Court.

(2) Colorado LLP applications for the LLP Examination must be received or postmarked on or before the deadlines designated by the Supreme Court and published by the Office of LLP Admissions.

(3) By the time of taking the family law examination, Colorado LLP examination applicants must either meet the experience requirements set forth in section (4) or must have received:

(a) a J.D. degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association or a state-accredited law school;

(b) an associate's degree in paralegal studies from an accredited school;

(c) a bachelor's degree in paralegal studies from an accredited school;

(d) a bachelor's degree in any subject from an accredited school that includes:

(i) a paralegal certificate; or

(ii) 15 hours of paralegal studies from an accredited school; or

(e) a first professional law degree from a law school in a country other than the United States with an LL.M. qualifying such applicant to sit for the Colorado bar examination under C.R.C.P. 204.3.

(4) An applicant is not required to meet the educational qualifications set forth in section (3) if the applicant demonstrates that the applicant has worked the equivalent of three full-time years in employment constituting substantive law-related practical experience, which must include the equivalent of one full-time year focused on Colorado family law, during the five years immediately preceding the date of filing the application.

(5) By the time of taking the professional conduct examination, all Colorado LLP applicants must have successfully completed an ethics class specific to LLPs or lawyers from an accredited school.

(6) All Colorado LLP applicants must also pass an LLP professional conduct exam prior to admission.

(7) All Colorado LLP applicants must also demonstrate completion of 1,500 hours of substantive law-related practical experience, including 500 hours of experience in Colorado family law, within the three years immediately preceding the date of submitting the LLP application.

(8) All Colorado LLP applicants bear the burden of proving they have the character and fitness to practice law as an LLP, and must comply with all character and fitness requirements established by the Supreme Court through C.R.C.P. 208.1. All Colorado LLP applicants are subject to the procedures set forth in C.R.C.P. 208.1 through C.R.C.P. 210.2 concerning review of character and fitness.

(9) All Colorado LLP applicants must pay the required application fee.

(10) Professionalism Course. All successful Colorado LLP examination applicants must

complete the course on professionalism, as described in C.R.C.P. 203.1(8), prior to and as a condition of admission. Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

(11) Any unsuccessful applicant may, upon request, obtain a copy of the applicant's answers to the essay portions of the examination. Such request shall be made on a form furnished by the Office of LLP Admissions. This rule does not permit applicants to obtain any materials other than the applicant's written essay answers.

### **Rule 207.9. Petitions to the Supreme Court for Waiver of Admissions Requirements**

(1) Availability. C.R.C.P. 206 applies to petitions for waiver of specific LLP admissions eligibility requirements. Nothing herein is deemed a limitation on the Supreme Court's plenary jurisdiction set forth in C.R.C.P. 207.2, 207.13 and 212.

### **Rule 207.10. Access to Information Concerning Admission of LLPs**

(1) Except as otherwise authorized by C.R.C.P. 209.4(2) or order of the Supreme Court, all other information contained in the application, and all admissions proceedings conducted pursuant to C.R.C.P. 208 through 209 prior to the filing of any written exceptions with the clerk of the Supreme Court, shall be confidential and requests for such information shall be denied by the Office of the Presiding Disciplinary Judge and the Office of Attorney Regulation Counsel, hearing boards, inquiry panels, and committees, unless the request is made by:

(a) An agency authorized to investigate the qualifications of persons for admission to practice law, including admission to limited-scope practice as a licensed legal paraprofessional or licensed paralegal;

(b) An agency authorized to investigate the qualifications of persons for government employment;

(c) A regulation or discipline enforcement agency with jurisdiction over attorneys or licensed legal paraprofessionals or licensed paralegals;

(d) A law enforcement agency;

(e) An agency authorized to investigate the qualifications of judicial candidates; or

(f) The Colorado Lawyer Assistance Program, or another jurisdiction's similar program.

Upon a showing of good cause, the Supreme Court may enter an order that seals all or part of the record of proceedings at the Supreme Court level.

(2) Public Proceedings. Except as otherwise provided by the Supreme Court, the record, pleadings and all proceedings before the Supreme Court shall become public upon the filing of written exceptions.

### **Rule 207.11. Reapplication for Admission**

(1) Unless otherwise ordered by the Supreme Court, an applicant who has been rejected by the Supreme Court as not possessing the character and fitness necessary to practice law in Colorado, or whose license to practice law has been revoked pursuant to proceedings under C.R.C.P. 210, may not reapply for admission as an LLP in Colorado for five years after the date of the Supreme Court's ruling.

### **Rule 207.12. Oath of Admission**

(1) Oath of Admission. No applicant will be admitted as an LLP in Colorado until such time as they have taken the oath of admission prescribed by the Supreme Court.

(2) Length of Time to Take Oath. No LLP applicant will be permitted to take the oath more than eighteen months after the date of the announcement by the Supreme Court that they have passed the examination. Nothing herein shall preclude reapplication for admission.

(3) Certificates of Admission. Admission of all LLP applicants shall be by order of the Supreme Court, en banc, and certificates of admission issued to applicants shall be signed by the Clerk of the Supreme Court. An applicant will not receive a certificate of admission until after the applicant has signed an oath before the Clerk of the Supreme Court or other designated offices and has paid a license fee in an amount set by the Supreme Court. The portion of the license fee necessary to cover the cost of the license shall be remitted to the Clerk of the Supreme Court.

### **Rule 207.13. Plenary Power of the Supreme Court**

The Supreme Court reserves the authority to review any determination made in the course of the admissions process or in the operation of these rules and to enter any order with respect thereto, including an order directing that further proceedings be conducted as provided by these rules.

### **Rule 207.14. Registration Fee**

#### **A. REGISTRATION FEE OF LICENSED LEGAL PARAPROFESSIONALS**

##### **(1) General Provisions.**

(a) Fees. On or before February 28 of each year, every licensed legal paraprofessional (LLP) admitted to practice in Colorado must annually file a registration statement and pay a fee as set by the Colorado Supreme Court. As of 2024, the fees set by the court are as follows: the fee for active LLPs is \$325.00; the fee of any LLP whose first admission to practice is within the preceding three years is \$190.00; the fee for LLPs on inactive status is \$130.00. All persons first becoming subject to this rule must file a statement required by this rule at the time of admission, but no annual fee shall be payable until the first day of January following such admission. The Supreme Court will authorize periodic increases to the annual fee for every Colorado LLP as necessary.

(b) Collection of Fee. The annual fee will be collected by the Clerk of the Supreme Court of Colorado, who will send and receive the notices and statements provided for hereafter.

(c) Application of Fees. The fee will be divided. Twenty dollars shall be used to maintain an Attorneys' Fund for Client Protection. The remaining portion of the fee, and the entire fee of those on inactive status, shall be used only to defray the costs of licensing and regulating LLPs within the Office of Attorney Regulation Counsel, as well as other functions within the Office of Attorney Regulation Counsel (admissions, registration, mandatory continuing legal and judicial education, attorney diversion and discipline, unauthorized practice of law and inventory counsel functions), the Office of the Presiding Disciplinary Judge, the Colorado Lawyers Assistance Program, the Colorado Attorney Mentoring Program, the Advisory and other regulatory committees and any other practice of law function deemed appropriate by the Supreme Court.

## **(2) Statement.**

(a) Contents. The annual registration statement must be on a form prescribed by the Clerk, setting forth:

(1) date of admission as an LLP by the Colorado Supreme Court;

(2) registration number;

(3) current residence and office addresses and, if applicable, a preferred mailing address for the Colorado Courts, along with current telephone numbers and email addresses;

(4) certification as to (a) whether the LLP has been ordered to pay child support and, if so, whether the LLP is in compliance with any child support order, (b) whether the LLP or the LLP's law firm has established one or more interest-bearing accounts for client funds as provided in Colo. RPC 1.15B or Colo. LLP RPC 1.15B and if so, the name of the financial institution, account number and location of the financial institution, or, if not, the reason for the exemption, and (c) whether the LLP is currently covered by professional liability insurance and, if so, whether the LLP intends to maintain insurance during the time the LLP is engaged in the private practice of law; and

(5) certification that the LLP agrees to confine the LLP's practice of law to all limitations set forth in applicable rules, statutes, and other law.

(6) such other information as the Clerk may from time to time direct.

(b) Notification of Change. Every LLP shall file a supplemental statement of change in the information previously submitted, including home and business addresses, within 28 days of such change. Such change shall include, without limitation, the lapse or termination of professional liability insurance without continuous coverage.

(c) Availability of Information. The information provided by the LLP regarding professional liability insurance shall be available to the public through the Supreme Court Office of Attorney Registration and on the Supreme Court Office of Attorney Registration website.

## **(3) Compliance.**

(a) Late Fee. Any LLP who pays the annual fee or files the annual registration statement after February 28 but on or before March 31 must pay a late fee of \$50.00 in addition to the

registration fee. Any LLP who pays the annual fee or files the annual registration statement after March 31 must pay a late fee of \$150.00 for each such year, in addition to the registration fee.

(b) Initial Pleading Must Contain Registration Number. Whenever an initial pleading is signed by an LLP, it shall also include thereon the LLP's registration number. Whenever an initial appearance is made in court without a written pleading, the LLP shall advise the court of the registration number. The number need not be on any subsequent pleadings.

#### **(4) Suspension.**

(a) Failure to Pay Fee or File Statement--Notice of Delinquency. An LLP will be summarily suspended if the LLP either fails to pay the fee or fails to file a complete statement or supplement thereto as required by this rule prior to May 1, provided a notice of delinquency has been issued by the Clerk and mailed to the LLP addressed to the LLP's last known mailing address at least 28 days prior to such suspension, unless an excuse has been granted on grounds of financial hardship. Orders suspending an LLP for failure to comply with rules governing LLP registration take effect on entry of the order, unless otherwise ordered.

(b) Duties to Notify Clients and Duties in Litigation Matters. An LLP who has been suspended under the rules governing LLP registration need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the LLP has sought reinstatement under the rules governing LLP registration and reasonably believes that reinstatement will occur within 14 days of the date of the order of suspension. If the LLP is not reinstated within those 14 days, then the LLP must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

#### **(5) Reinstatement.**

(a) Application--Reinstatement Fee. Any LLP suspended under the provisions of section (4)(a) above will not be reinstated until application for reinstatement is made in writing and the Clerk acts favorably on the application. Each application for reinstatement shall be accompanied by a reinstatement fee of \$100.00 and payment of all arrearages and late fees to the date of the request for reinstatement.

#### **(6) Inactive Status.**

(a) Notice. An LLP who has retired or is not engaged in practice shall file a notice in writing with the Clerk that they desire to transfer to inactive status and discontinue the practice of law.

(b) Payment of Fee--Filing of Statement. Upon the filing of the notice to transfer to inactive status, the LLP shall no longer be eligible to practice law but shall continue to pay the fee required under section (1)(a) above and file the statements and supplements thereto required by this rule on an annual basis.

(c) Exemption--Age 65. Any registered inactive LLP over the age of 65 is exempt from payment of the annual fee.

(7) Transfer to Active Status. Upon the filing of a notice to transfer to inactive status and payment of the fee required under section (1)(a) above and any arrearages, if owed, an LLP will be removed from the roll of those classified as active until and unless a request for transfer to

active status is made and granted. Transfer to active status will be granted, unless the LLP is subject to an outstanding order of suspension or disbarment, upon the payment of any assessment in effect for the year the request is made and any accumulated arrearages for non-payment of inactive fees.

### **(8) Resignation.**

(a) Criteria. The supreme court may permit an LLP to resign from the practice of law in Colorado. The Regulation Counsel must inform the supreme court whether any disciplinary or disability matter involving the LLP should preclude the LLP's resignation and whether any pre-complaint proceeding pending against the LLP under C.R.C.P. 242 should be dismissed. An LLP may not resign if a complaint under C.R.C.P. 242.25 is pending against the LLP.

(b) Procedure. An LLP who wishes to resign must request permission of the supreme court under this section by submitting a request to the Office of Attorney Registration, and must tender the LLP's certificate of admission along with a certification as to whether the LLP is subject to disciplinary proceedings in any other jurisdiction. A request to resign and an order of resignation are public information.

(c) Effect. An LLP who has been permitted to resign:

(1) Must comply with the duties listed in C.R.C.P. 242.32;

(2) Is excused from paying the annual registration fee;

(3) Is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law;

(4) May not hold themselves out as a Colorado LLP; and

(5) Remains subject to the supreme court's jurisdiction as set forth in C.R.C.P. 242.1(a) as to the LLP's prior practice of law in Colorado.

### **COMMENT**

The Supreme Court sets the annual registration fee for LLPs to be used for the purposes set forth in the rule. Those fees, together with other fees collected through the Office of Attorney Regulation Counsel, will help defray the cost of admitting, registering and regulating LLPs.

## **Rule 207. Licensed Legal Paraprofessionals**

### **Rule 207.1. Licensed Legal Paraprofessionals' Scope of Authority to Practice**

(1) Licensed Legal Paraprofessionals (“LLPs”) are individuals licensed by the Supreme Court pursuant to this rule to perform certain types of legal services only under the conditions set forth by the Court. They do not include individuals with a general license to practice law in Colorado.

(2) An LLP’s scope of licensure is limited as follows:

(a) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a legal separation, declaration of invalidity of marriage, or dissolution of a marriage or civil union.

(b) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in an initial allocation of parental responsibility (“APR”) matter, including parentage determinations, that is not part of a dissolution of a marriage or civil union.

(c) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a matter involving modification of APR regardless of whether the initial APR was part of a dissolution of a marriage or civil union, or modification of child support and/or maintenance.

(d) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in any of the following matters: protection orders, name changes, and adult gender designation changes.

(e) An LLP’s authority to practice law under any section of this rule includes filing and responding to motions for remedial contempt citations under C.R.C.P. 107.

(f) Even if an LLP is authorized to represent a client pursuant to sections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e), an LLP is not authorized to represent a client in any of the following:

(i) the registration of foreign orders;

(ii) motions for or orders regarding punitive contempt citations under C.R.C.P. 107;

(iii) matters involving an allegation of common law marriage;

(iv) matters involving disputed parentage where there are more than two persons asserting or denying legal parentage;

(v) matters in which a non-parent’s request for APR is contested by at least one parent;

(vi) preparation of or litigation regarding pre- or post-nuptial agreements;

(vii) matters in which a party is a beneficiary of a trust and information about the trust will be relevant to resolution of the matter;

(viii) matters in which a party intends to contest jurisdiction of the court over the matter;

(ix) the preparation by the LLP of a qualified domestic relations order (“QDRO”) or other document allocating retirement assets that are not liquid at the time of the matter;



(x) the preparation by the LLP of documents needed to effectuate the sale or distribution of assets of a business entity or commercial property;

(xi) matters in which an expert report or testimony is required to value an asset or determine income due to the inherent complexity of the asset or income at issue; or

(xii) issues collateral to, but directly affecting, a matter which falls within the LLP's scope of practice when such issues require analysis and advice outside that scope of practice, such as immigration, criminal, and bankruptcy issues that could directly affect the resolution of the matter.

(g) Within the types of matters and authorizations to practice law identified in section (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e) of this rule, an LLP who is in good standing may represent the interests of a client by:

(i) establishing a contractual relationship with the client;

(ii) interviewing the client to understand the client's objectives and obtaining information relevant to achieving that objective;

(iii) informing, counseling, advising, and assisting the client in determining which form (among those approved by the Judicial Department or the Supreme Court) to use as the basis for a document in a matter, and advising the client on how to complete a form or provide information for a document;

(iv) preparing and completing documents using forms approved by the Judicial Department or the Supreme Court, including proposed parenting plans, separation agreements, motions or stipulations for child support modification, child support worksheets, proposed orders, non-appearance affidavits, discovery requests and answers to discovery requests, trial management certificates, pretrial submissions, and exhibit and witness lists;

(v) obtaining, explaining, and filing any document or necessary information in support of a form or other document, including sworn financial statements and certificates of compliance;

(vi) signing, filing, and completing service of documents;

(vii) reviewing documents of another party or documents and forms prepared by a pension or retirement plan which allocate pension or retirement benefits pursuant to a decree of dissolution, and explaining them to the client;

(viii) informing, counseling, assisting and advocating for a client in negotiations with another party or that party's representative and in mediations;

(ix) filling in, signing, filing, and completing service of a written settlement agreement in conformity with the negotiated agreement;

(x) communicating with another party or the party's representative regarding documents prepared for or filed in a case and matters reasonably related thereto;

(xi) communicating with the client regarding the matter and related issues;

- (xii) explaining a court order that affects the client's rights and obligations;
  - (xiii) standing or sitting at counsel table with the client during a court proceeding to provide emotional support, communicating with the client during the proceeding, answering questions posed by the court, addressing the court upon the court's request, taking notes, and assisting the client in understanding the proceeding and relevant orders;
  - (xiv) providing clients with information about additional resources or requirements, such as parenting education classes, and filing certificates of completion with the court; and
  - (xv) advising clients regarding the need for a lawyer to review complex issues that may arise in a matter.
- (h) An LLP is not authorized to conduct an examination of a witness. The LLP may only address the court pursuant to section (2)(g)(xiii) of this rule.
- (i) Limits on the activities that can be performed or matters that can be undertaken by an LLP under this rule do not, by themselves, require the LLP to withdraw from the representation of a client if the LLP can provide authorized services to that client. Nothing in this rule precludes a client of an LLP from retaining a lawyer or acting pro se in the same matter in which the client has retained an LLP when an activity, task or issue is outside the LLP's authorized scope of practice.

### **Rule 207.2. Supreme Court Jurisdiction**

The Supreme Court exercises jurisdiction over all matters involving the licensing and regulation of those persons who practice law in Colorado. Accordingly, the Supreme Court has adopted the following rules governing admission to the practice of law by licensed legal paraprofessionals (LLPs) in Colorado.

### **Rule 207.3. Supreme Court Advisory Committee on the Practice of Law**

- (1) The Supreme Court Advisory Committee on the Practice of Law (Advisory Committee) is a permanent committee of the Supreme Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the LLP regulation process.
- (2) The Advisory Committee shall have oversight over the LLP admissions process.
- (3) The Advisory Committee shall recommend to the Supreme Court proposed changes or additions to the rules of procedure governing admission to the practice of law by LLPs.
- (4) The Advisory Committee shall review the productivity, effectiveness and efficiency of all matters involving the admission of LLPs to practice law in the state of Colorado.

### **Rule 207.4. Licensed Legal Paraprofessionals Committee**

- (1) **Licensed Legal Paraprofessionals (LLP) Committee.** The LLP Committee will serve as a permanent committee of the Supreme Court.

(a) **Members.** The LLP Committee will consist of eleven volunteers appointed by the Supreme Court. For at least the first four years from the date of adoption of this rule, at least six members must be Colorado licensed attorneys and at least two members must be non-attorneys. With the exception of the chair and vice-chair, members will be appointed for an initial term of two, three or four years, and may serve up to two terms. Diversity will be a consideration in making the appointments. The terms of the members of the LLP Committee will be staggered to provide, so far as possible, for the expiration each year of the term of one member. All members, including the chair and vice-chair, serve at the pleasure of and may be dismissed at any time by the Supreme Court. A member of the LLP Committee may resign at any time.

(b) **Chair and Vice-Chair.** The Supreme Court will designate two members of the LLP Committee to serve as its chair and vice-chair for unspecified terms. The chair will exercise overall supervisory control of the Committee. The chair will also be a member of the Advisory Committee.

(c) **Powers and Duties.** The LLP Committee will:

(i) Oversee the administration of written examinations concerning substantive and procedural law and ethical responsibilities each year, at such times and places as may be designated by the Supreme Court;

(ii) Make recommendations to the Supreme Court regarding passing scores for the written examinations;

(iii) Oversee the process of grading the written examinations to ensure uniformity and quality of grading;

(iv) Oversee other regulatory functions specific to LLP applications and the practice of law by LLPs as provided in the rules within Rule 207.

(v) Periodically report to the Advisory Committee on the operations of the LLP Committee;

(vi) Make recommendations to the Advisory Committee regarding proposed changes or additions to rules that concern the functions of the LLP Committee; and

(vii) Adopt such practices as may from time to time become necessary to govern the internal operation of the LLP Committee.

**(2) Character and Fitness Committee.** The Character and Fitness Committee established by C.R.C.P. 202.3, which serves as a permanent committee of the Supreme Court with the powers and duties set forth by that rule, will exercise the same powers and perform the same duties relative to the admission of LLPs:

(i) To enforce the character and fitness standards set forth in C.R.C.P. 208 in the review of all LLP applications for admission to the practice of law in Colorado;

(ii) To participate in inquiry panels as set forth in C.R.C.P. 208.4;

(iii) To participate on hearing boards empaneled by the Office of the Presiding Disciplinary Judge pursuant to C.R.C.P. 209.2;

- (iv) To periodically report to the Advisory Committee on the operations of the Character and Fitness Committee;
- (v) To make recommendations to the Advisory Committee regarding proposed changes or additions to rules that concern the functions of the Character and Fitness Committee; and
- (vi) To adopt such practices as may from time to time become necessary to govern the internal operations of the Character and Fitness Committee.

### **Rule 207.5. Attorney Regulation Counsel**

The Attorney Regulation Counsel will maintain and supervise a permanent office, hereinafter referred to as the Office of LLP Admissions, to serve as a central office for (a) the filing and processing of all applications for admission, certification, and other authorization to practice law in Colorado; (b) the administration of the Colorado bar examination and LLP examinations; (c) the investigation of all applicants' character and fitness; and (d) the certification to the Supreme Court of applicants' qualifications to practice law in Colorado. The Attorney Regulation Counsel shall administer all LLP admission functions as part of a budget approved by the Supreme Court.

### **Rule 207.6. Immunity**

**(1) Committees, Staff, and Volunteers.** Persons performing official duties under the provisions of this chapter, including but not limited to the Advisory Committee and its members, the LLP Committee and its members, the Character and Fitness Committee and its members, the Attorney Regulation Counsel and staff, the Presiding Disciplinary Judge and staff, members of hearing boards, and other enlisted volunteers are immune from suit for all conduct performed in the course of their official duties.

**(2) Other Participants in Admission Proceedings.** Testimony, records, statements of opinion and other information regarding an applicant for LLP admission communicated by any person or entity to the Advisory Committee or its members, the LLP Committee or its members, the Character and Fitness Committee and its members, the Attorney Regulation Counsel or staff, the Presiding Disciplinary Judge or staff, members of hearing boards, the Colorado Lawyer Assistance Program or staff, or other volunteers are absolutely privileged, and no lawsuit will be predicated thereon. If the matter is confidential as provided in these rules, and if the person or entity who testified or otherwise communicated does not maintain confidentiality, then the testimony or communications shall be qualifiedly privileged, such that an action may lie against a person or entity who provided the testimony or communications in bad faith or with reckless disregard of its truth or falsity.

### **Rule 207.7. General Provisions**

**(1) Application Forms.** All applications for a license to practice law as an LLP in Colorado will be made on forms furnished by the Office of LLP Admissions. The application forms will require such information as is necessary to determine whether the applicant meets the requirements of these rules, together with such additional information as is necessary for the efficient

administration of these rules. Applicants must answer all questions completely, and must provide all required documentation. The Office of LLP Admissions may, in its discretion, reject an incomplete application or place an incomplete application on hold until all required information is produced.

**(2) Confidentiality.** Information contained on applications for a license to practice law as an LLP in Colorado will be deemed confidential and may be released only under the conditions for release of confidential information established by C.R.C.P. 211.1.

**(3) Duty to Supplement.**

(a) Applicants must immediately update the application with respect to all matters inquired of. This duty to supplement continues in effect up to the time an applicant takes the oath of admission. Updates must be reported in a manner consistent with the Office of LLP Admissions' requirements.

(b) Failure to timely supplement a pending application may result in the denial of the application, a review of such failure as a character and fitness issue, or if the person has already been admitted as an LLP in Colorado, discipline or revocation of the person's LLP license.

**(4) Fees.** All applicants must pay a fee in an amount fixed by the Supreme Court. The fee must be paid when the application is submitted.

**(5) Admission as an LLP.** An applicant who qualifies for admission as an LLP under this rule, and who meets the character and fitness requirements set forth in C.R.C.P. 208, shall be admitted to the practice of law as an LLP in Colorado in the manner prescribed by these rules.

**(6) Disbarred Attorneys or Legal Paraprofessionals.** A person who has been disbarred from the practice of law in any jurisdiction, or who has resigned pending disciplinary proceedings in any jurisdiction, is not eligible to apply for admission to the practice of law as an LLP in Colorado until the person has been readmitted in the jurisdiction in which the person was disbarred or resigned.

**(7) Suspended Attorneys or Legal Paraprofessionals.** A person who has been suspended for disciplinary purposes from the practice of law in any jurisdiction is not eligible to apply for admission to the practice of law as an LLP in Colorado until the period of suspension has expired and the person has been reinstated to the practice of law in the jurisdiction in which the person was suspended.

**(8) Mandatory LLP Professionalism Course.** All applicants under these rules, unless otherwise exempted, must complete a required course on professionalism specific to LLPs presented by the Office of Attorney Regulation Counsel. Continuing legal education credit will be applied to the LLP's first compliance period pursuant to C.R.C.P. 250.2(1). Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

**Rule 207.8. Applications for Colorado LLP Admission**

**(1)** All LLP applicants must, as a condition of admission, take and pass the Colorado LLP examinations, which includes testing on family law and professional conduct rules, and any other

topics designated by the Supreme Court.

**(2)** Colorado LLP applications for the LLP Examination must be received or postmarked on or before the deadlines designated by the Supreme Court and published by the Office of LLP Admissions.

**(3)** By the time of taking the family law examination, Colorado LLP examination applicants must either meet the experience requirements set forth in section (4) or must have received:

(a) a J.D. degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association or a state-accredited law school;

(b) an associate's degree in paralegal studies from an accredited school;

(c) a bachelor's degree in paralegal studies from an accredited school;

(d) a bachelor's degree in any subject from an accredited school that includes:

(i) a paralegal certificate; or

(ii) 15 hours of paralegal studies from an accredited school; or

(e) a first professional law degree from a law school in a country other than the United States with an LL.M. qualifying such applicant to sit for the Colorado bar examination under C.R.C.P. 204.3.

**(4)** An applicant is not required to meet the educational qualifications set forth in section (3) if the applicant demonstrates that the applicant has worked the equivalent of three full-time years in employment constituting substantive law-related practical experience, which must include the equivalent of one full-time year focused on Colorado family law, during the five years immediately preceding the date of filing the application.

**(5)** By the time of taking the professional conduct examination, all Colorado LLP applicants must have successfully completed an ethics class specific to LLPs or lawyers from an accredited school.

**(6)** All Colorado LLP applicants must also pass an LLP professional conduct exam prior to admission.

**(7)** All Colorado LLP applicants must also demonstrate completion of 1,500 hours of substantive law-related practical experience, including 500 hours of experience in Colorado family law, within the three years immediately preceding the date of submitting the LLP application.

**(8)** All Colorado LLP applicants bear the burden of proving they have the character and fitness to practice law as an LLP, and must comply with all character and fitness requirements established by the Supreme Court through C.R.C.P. 208.1. All Colorado LLP applicants are subject to the procedures set forth in C.R.C.P. 208.1 through C.R.C.P. 210.2 concerning review of character and fitness.

**(9)** All Colorado LLP applicants must pay the required application fee.

**(10) Professionalism Course.** All successful Colorado LLP examination applicants must

complete the course on professionalism, as described in C.R.C.P. 203.1(8), prior to and as a condition of admission. Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

**(11)** Any unsuccessful applicant may, upon request, obtain a copy of the applicant's answers to the essay portions of the examination. Such request shall be made on a form furnished by the Office of LLP Admissions. This rule does not permit applicants to obtain any materials other than the applicant's written essay answers.

#### **Rule 207.9. Petitions to the Supreme Court for Waiver of Admissions Requirements**

**(1) Availability.** C.R.C.P. 206 applies to petitions for waiver of specific LLP admissions eligibility requirements. Nothing herein is deemed a limitation on the Supreme Court's plenary jurisdiction set forth in C.R.C.P. 207.2, 207.13 and 212.

#### **Rule 207.10. Access to Information Concerning Admission of LLPs**

**(1)** Except as otherwise authorized by C.R.C.P. 209.4(2) or order of the Supreme Court, all other information contained in the application, and all admissions proceedings conducted pursuant to C.R.C.P. 208 through 209 prior to the filing of any written exceptions with the clerk of the Supreme Court, shall be confidential and requests for such information shall be denied by the Office of the Presiding Disciplinary Judge and the Office of Attorney Regulation Counsel, hearing boards, inquiry panels, and committees, unless the request is made by:

- (a) An agency authorized to investigate the qualifications of persons for admission to practice law, including admission to limited-scope practice as a licensed legal paraprofessional or licensed paralegal;
- (b) An agency authorized to investigate the qualifications of persons for government employment;
- (c) A regulation or discipline enforcement agency with jurisdiction over attorneys or licensed legal paraprofessionals or licensed paralegals;
- (d) A law enforcement agency;
- (e) An agency authorized to investigate the qualifications of judicial candidates; or
- (f) The Colorado Lawyer Assistance Program, or another jurisdiction's similar program.

Upon a showing of good cause, the Supreme Court may enter an order that seals all or part of the record of proceedings at the Supreme Court level.

**(2) Public Proceedings.** Except as otherwise provided by the Supreme Court, the record, pleadings and all proceedings before the Supreme Court shall become public upon the filing of written exceptions.

#### **Rule 207.11. Reapplication for Admission**

(1) Unless otherwise ordered by the Supreme Court, an applicant who has been rejected by the Supreme Court as not possessing the character and fitness necessary to practice law in Colorado, or whose license to practice law has been revoked pursuant to proceedings under C.R.C.P. 210, may not reapply for admission as an LLP in Colorado for five years after the date of the Supreme Court's ruling.

### **Rule 207.12. Oath of Admission**

(1) **Oath of Admission.** No applicant will be admitted as an LLP in Colorado until such time as they have taken the oath of admission prescribed by the Supreme Court.

(2) **Length of Time to Take Oath.** No LLP applicant will be permitted to take the oath more than eighteen months after the date of the announcement by the Supreme Court that they have passed the examination. Nothing herein shall preclude reapplication for admission.

(3) **Certificates of Admission.** Admission of all LLP applicants shall be by order of the Supreme Court, en banc, and certificates of admission issued to applicants shall be signed by the Clerk of the Supreme Court. An applicant will not receive a certificate of admission until after the applicant has signed an oath before the Clerk of the Supreme Court or other designated offices and has paid a license fee in an amount set by the Supreme Court. The portion of the license fee necessary to cover the cost of the license shall be remitted to the Clerk of the Supreme Court.

### **Rule 207.13. Plenary Power of the Supreme Court**

The Supreme Court reserves the authority to review any determination made in the course of the admissions process or in the operation of these rules and to enter any order with respect thereto, including an order directing that further proceedings be conducted as provided by these rules.

### **Rule 207.14. Registration Fee**

#### **A. REGISTRATION FEE OF LICENSED LEGAL PARAPROFESSIONALS**

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(a) Fees. On or before February 28 of each year, every licensed legal paraprofessional (LLP) admitted to practice in Colorado must annually file a registration statement and pay a fee as set by the Colorado Supreme Court. As of 2024, the fees set by the court are as follows: the fee for active LLPs is \$325.00; the fee of any LLP whose first admission to practice is within the preceding three years is \$190.00; the fee for LLPs on inactive status is \$130.00. All persons first becoming subject to this rule must file a statement required by this rule at the time of admission, but no annual fee shall be payable until the first day of January following such admission. The Supreme Court will authorize periodic increases to the annual fee for every Colorado LLP as necessary.

(b) Collection of Fee. The annual fee will be collected by the Clerk of the Supreme Court of Colorado, who will send and receive the notices and statements provided for hereafter.



(c) Application of Fees. The fee will be divided. Twenty dollars shall be used to maintain an Attorneys' Fund for Client Protection. The remaining portion of the fee, and the entire fee of those on inactive status, shall be used only to defray the costs of licensing and regulating LLPs within the Office of Attorney Regulation Counsel, as well as other functions within the Office of Attorney Regulation Counsel (admissions, registration, mandatory continuing legal and judicial education, attorney diversion and discipline, unauthorized practice of law and inventory counsel functions), the Office of the Presiding Disciplinary Judge, the Colorado Lawyers Assistance Program, the Colorado Attorney Mentoring Program, the Advisory and other regulatory committees and any other practice of law function deemed appropriate by the Supreme Court.

**(2) Statement.**

(a) Contents. The annual registration statement must be on a form prescribed by the Clerk, setting forth:

(1) date of admission as an LLP by the Colorado Supreme Court;

(2) registration number;

(3) current residence and office addresses and, if applicable, a preferred mailing address for the Colorado Courts, along with current telephone numbers and email addresses;

(4) certification as to (a) whether the LLP has been ordered to pay child support and, if so, whether the LLP is in compliance with any child support order, (b) whether the LLP or the LLP's law firm has established one or more interest-bearing accounts for client funds as provided in Colo. RPC 1.15B or Colo. LLP RPC 1.15B and if so, the name of the financial institution, account number and location of the financial institution, or, if not, the reason for the exemption, and (c) whether the LLP is currently covered by professional liability insurance and, if so, whether the LLP intends to maintain insurance during the time the LLP is engaged in the private practice of law; and

(5) certification that the LLP agrees to confine the LLP's practice of law to all limitations set forth in applicable rules, statutes, and other law.

(6) such other information as the Clerk may from time to time direct.

(b) Notification of Change. Every LLP shall file a supplemental statement of change in the information previously submitted, including home and business addresses, within 28 days of such change. Such change shall include, without limitation, the lapse or termination of professional liability insurance without continuous coverage.

(c) Availability of Information. The information provided by the LLP regarding professional liability insurance shall be available to the public through the Supreme Court Office of Attorney Registration and on the Supreme Court Office of Attorney Registration website.

**(3) Compliance.**

(a) Late Fee. Any LLP who pays the annual fee or files the annual registration statement after February 28 but on or before March 31 must pay a late fee of \$50.00 in addition to the

registration fee. Any LLP who pays the annual fee or files the annual registration statement after March 31 must pay a late fee of \$150.00 for each such year, in addition to the registration fee.

(b) Initial Pleading Must Contain Registration Number. Whenever an initial pleading is signed by an LLP, it shall also include thereon the LLP's registration number. Whenever an initial appearance is made in court without a written pleading, the LLP shall advise the court of the registration number. The number need not be on any subsequent pleadings.

#### **(4) Suspension.**

(a) Failure to Pay Fee or File Statement--Notice of Delinquency. An LLP will be summarily suspended if the LLP either fails to pay the fee or fails to file a complete statement or supplement thereto as required by this rule prior to May 1, provided a notice of delinquency has been issued by the Clerk and mailed to the LLP addressed to the LLP's last known mailing address at least 28 days prior to such suspension, unless an excuse has been granted on grounds of financial hardship. Orders suspending an LLP for failure to comply with rules governing LLP registration take effect on entry of the order, unless otherwise ordered.

(b) Duties to Notify Clients and Duties in Litigation Matters. An LLP who has been suspended under the rules governing LLP registration need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the LLP has sought reinstatement under the rules governing LLP registration and reasonably believes that reinstatement will occur within 14 days of the date of the order of suspension. If the LLP is not reinstated within those 14 days, then the LLP must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

#### **(5) Reinstatement.**

(a) Application--Reinstatement Fee. Any LLP suspended under the provisions of section (4)(a) above will not be reinstated until application for reinstatement is made in writing and the Clerk acts favorably on the application. Each application for reinstatement shall be accompanied by a reinstatement fee of \$100.00 and payment of all arrearages and late fees to the date of the request for reinstatement.

#### **(6) Inactive Status.**

(a) Notice. An LLP who has retired or is not engaged in practice shall file a notice in writing with the Clerk that they desire to transfer to inactive status and discontinue the practice of law.

(b) Payment of Fee--Filing of Statement. Upon the filing of the notice to transfer to inactive status, the LLP shall no longer be eligible to practice law but shall continue to pay the fee required under section (1)(a) above and file the statements and supplements thereto required by this rule on an annual basis.

(c) Exemption--Age 65. Any registered inactive LLP over the age of 65 is exempt from payment of the annual fee.

**(7) Transfer to Active Status.** Upon the filing of a notice to transfer to inactive status and payment of the fee required under section (1)(a) above and any arrearages, if owed, an LLP will be removed from the roll of those classified as active until and unless a request for transfer to

active status is made and granted. Transfer to active status will be granted, unless the LLP is subject to an outstanding order of suspension or disbarment, upon the payment of any assessment in effect for the year the request is made and any accumulated arrearages for non-payment of inactive fees.

**(8) Resignation.**

(a) Criteria. The supreme court may permit an LLP to resign from the practice of law in Colorado. The Regulation Counsel must inform the supreme court whether any disciplinary or disability matter involving the LLP should preclude the LLP's resignation and whether any pre-complaint proceeding pending against the LLP under C.R.C.P. 242 should be dismissed. An LLP may not resign if a complaint under C.R.C.P. 242.25 is pending against the LLP.

(b) Procedure. An LLP who wishes to resign must request permission of the supreme court under this section by submitting a request to the Office of Attorney Registration, and must tender the LLP's certificate of admission along with a certification as to whether the LLP is subject to disciplinary proceedings in any other jurisdiction. A request to resign and an order of resignation are public information.

(c) Effect. An LLP who has been permitted to resign:

(1) Must comply with the duties listed in C.R.C.P. 242.32;

(2) Is excused from paying the annual registration fee;

(3) Is not eligible for reinstatement or transfer to active or inactive status and may be admitted to the practice of law in Colorado only by complying with the rules governing admission to the practice of law;

(4) May not hold themselves out as a Colorado LLP; and

(5) Remains subject to the supreme court's jurisdiction as set forth in C.R.C.P. 242.1(a) as to the LLP's prior practice of law in Colorado.

**COMMENT**

The Supreme Court sets the annual registration fee for LLPs to be used for the purposes set forth in the rule. Those fees, together with other fees collected through the Office of Attorney Regulation Counsel, will help defray the cost of admitting, registering and regulating LLPs.

**Amended and Adopted by the Court, En Banc, March 23, 2023, effective July 1, 2023.**

**By the Court:**

**Brian D. Boatright  
Chief Justice, Colorado Supreme Court**

**WASHINGTON STATE**  
**BAR ASSOCIATION**  
Office of the Executive Director

April 21, 2023

BY EMAIL ONLY

Hon. Steven González  
Chief Justice  
Washington Supreme Court

Hon. Charles W. Johnson  
Associate Chief Justice  
Washington Supreme Court

Hon. Mary I. Yu  
Justice  
Washington Supreme Court

RE: Per Order Number 25700-A-1495, proposed changes to APR 28

Dear Chief Justice González,

At the September 2022 Board of Governors Meeting, the Limited License Legal Technician (LLLT) Board presented proposed amendments to the Admission and Practice Rules (APR) 28 and sought support from the Board of Governors. The Board of Governors voted to recommend to the Court that it deny the proposed amendments.

Sincerely,



Terra Nevitt  
Executive Director

CC: Daniel D. Clark, 2022-2023 WSBA President  
Steve Crossland, LLLT Board Chair

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Order Number 25700-A-1495, proposed changes to APR 28  
**Date:** Monday, April 24, 2023 2:53:08 PM  
**Attachments:** [2023-04-21.BOG Response to Proposed Amendments APR28 by LLLT Board.pdf](#)  
[image001.png](#)

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**From:** Shelly Bynum <[Shellyb@wsba.org](mailto:Shellyb@wsba.org)>  
**Sent:** Monday, April 24, 2023 2:36 PM  
**To:** Gonzalez, Justice Steve <[J\\_S.Gonzalez@courts.wa.gov](mailto:J_S.Gonzalez@courts.wa.gov)>; Johnson, Justice Charles W. <[Charles.Johnson@courts.wa.gov](mailto:Charles.Johnson@courts.wa.gov)>; Yu, Justice Mary <[Mary.Yu@courts.wa.gov](mailto:Mary.Yu@courts.wa.gov)>; Lipford, Ashley <[Ashley.Lipford@courts.wa.gov](mailto:Ashley.Lipford@courts.wa.gov)>  
**Cc:** Terra Nevitt <[terran@wsba.org](mailto:terran@wsba.org)>; Dan Clark ([danclarkbog@yahoo.com](mailto:danclarkbog@yahoo.com)) <[danclarkbog@yahoo.com](mailto:danclarkbog@yahoo.com)>; [steve@crosslandlaw.net](mailto:steve@crosslandlaw.net)  
**Subject:** Order Number 25700-A-1495, proposed changes to APR 28

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Good afternoon,

Please see the attached letter regarding order number 25700-A-1495, proposed changes to APR 28.

Thank you,

Shelly



**Shelly Bynum | Executive Administrator I**

**Washington State Bar Association** | 206.239.2125 | [shellyb@wsba.org](mailto:shellyb@wsba.org)  
1325 Fourth Avenue, Suite 600 | Seattle, WA 98101-2539 | [www.wsba.org](http://www.wsba.org)

The WSBA is committed to full access and participation by persons with disabilities. If you have questions about accessibility or require accommodation please contact me at [shellyb@wsba.org](mailto:shellyb@wsba.org).

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comment on Proposed Changes to APR 28 from LAARK (Legal Advice and Referral for Kinship Care)  
**Date:** Tuesday, April 25, 2023 2:50:55 PM  
**Attachments:** [image002.png](#)

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**From:** Celeste Miller <celestem@kcba.org>  
**Sent:** Tuesday, April 25, 2023 2:46 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment on Proposed Changes to APR 28 from LAARK (Legal Advice and Referral for Kinship Care)

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## LAARK

### Legal Advice And Referral for Kinship Care

April 25, 2023

Clerk of the Supreme Court  
P.O. Box 40929  
Olympia, WA 98504-0929

With a copy to: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

To the Clerk of the Supreme Court:

As attorneys who talk with kinship caregivers interested in filing for minor guardianship for children in their care, we are writing to voice our strong support for proposed rule changes to Admission and Practice Rule (APR) 28 that would allow Limited License Legal Technicians to provide legal services on minor guardianship cases. We do not believe that the minor guardianship cases LLLTs are allowed to work on should be limited to those arising out of familial relationships. We believe that the proposed language “agreed or default minor guardianships or guardianships arising out of a familial relationship” is confusing and could be interpreted as a limit to cases where the guardian is related to the child. We do not want this limitation, since there are proposed guardians who are family friends or fictive kin and they would be arbitrarily excluded from the LLLTs scope. We believe that the above language is intended to mean *agreed or default minor guardianships or **adult** guardianships arising out of a familial relationship*, based on the GR 9 Cover Sheet submitted by the LLLT Board where they stated,

“Effective January 1, 2021, the Washington state legislature repealed the nonparental custody statute for minors (RCW 26.10 *et seq.*) and replaced it with RCW 11.130.185 *et seq.* (Article 2), the Uniform Guardianship Act – minors. **Guardianships for incapacitated adult children arising out of a familial relationship** (emphasis added) are now covered by RCW 11.130 Article 3. To accommodate the change in law, the LLLT Board’s suggested amendments propose to strike the provisions in APR 28 Reg. 2B referencing “nonparental and third party custody” and replace those terms with provisions authorizing LLLTs to provide services under the new statute, RCW 11.130 *et seq.*, for “agreed and default minor guardianships or guardianships arising out of a familial relationship.”

If the LLLT Board did not intend to include adult guardianships of incapacitated adult children arising out of a familial relationship in the scope of LLLT work, we propose that the language solely state “agreed or default minor guardianships.”

The Legal Advice and Referral for Kinship (LAARK) program provides free legal advice to grandparents, aunts, uncles, and other relatives and family friends who step in to care for children when parents are unable to do so. In Washington, there are 43,000 children being raised by kin. [\[1\]](#)

LAARK is a new program funded by the Office of Civil Legal Aid and housed at the King County Bar Association. Since launching in October 2022, we have assisted nearly 90 kinship caregivers from across the state, with the number of referrals growing each week. In many cases, the children in need have never had contact with the child welfare system at all. And in some cases, Child Protective Services (CPS) has investigated the parents, identified serious safety concerns but because the children are living with kin, declined to open a case or file for dependency. Our clients are then faced with filing for minor guardianship on their own to protect the children, with orders for custody and decision-making.

The need for LLLTs to help caregivers petition for minor guardianship is urgent. Due to the eviction crisis, impacts of COVID and the law change from non-parental custody to minor guardianship, few volunteer lawyer programs help with these cases. Most family law lawyers are not taking these cases. Moreover, filing even an uncontested case is an arduous process: at least eight court forms are required to start a case and serving the parents is often challenging. The caregivers we speak to, often senior citizens who had no plans of ever raising children again, are overwhelmed by the paperwork burden.

Kinship caregivers are poorer than average and most cannot afford attorneys. Kinship caregivers report a median income between \$30,000-\$39,999, which is lower than Washington State’s 2018 median income of \$73,294. Kinship caregivers over 55 are more likely to have income below the \$30,000 to \$39,999 range than kinship caregivers overall. [\[2\]](#)

Petitioners for minor guardianship are also more likely to be people of color. According to the Census Bureau, Black/African Americans make up 4.4% of Washington’s population. Yet 30% of kinship caregivers in Washington are Black/African American. American Indian and Alaska Native people make up 1.9% of the state’s population, but 13% of the state’s kinship caregivers. These disparities due to systemic racism further support the need for LLLTs to accept Minor Guardianship cases.

LAARK is grateful to OCLA to be funded for two staff attorneys and one legal assistant, but the need for assistance is much greater. Allowing LLLTs to take these cases would help serve caregivers whose legal needs are not being met.

Sincerely,



Kerry Clayman  
Staff Attorney, LAARK

Celeste Miller  
Statewide Kinship Care Legal Aid Coordinator & LAARK Supervisor

Catherine West  
Staff Attorney, LAARK

Footnote 1: Grandfamilies.org data from the United Census Bureau, the Annie E. Casey Foundation, and the Adoption and Foster Care Analysis Reporting System.

Footnote 2: Partners For Our Children, Washington State Department of Children, Youth and Families, & DSHS Aging and Long-Term Support Administration. (2020). Kinship Care in Washington State – 2020. Available at <https://www.dshs.wa.gov/altsa/home-and-community-services-kinship-care/kinship-care>

**Celeste E. Miller** (she/her)

*Statewide Kinship Care Legal Aid Coordinator*

**KING COUNTY BAR**

(206) 267-7100

Direct: (206) 267-7073

1200 5th Ave, Suite 700

Seattle, WA 98101

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[1] Grandfamilies.org data from the United Census Bureau, the Annie E. Casey Foundation, and the Adoption and Foster Care Analysis Reporting System.

[2] Partners For Our Children, Washington State Department of Children, Youth and Families, & DSHS Aging and Long-Term Support Administration. (2020). Kinship Care in Washington State – 2020. Available at <https://www.dshs.wa.gov/altsa/home-and-community-services-kinship-care/kinship-care>

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: SUPPORT for RULE CHANGE TO APR 28  
**Date:** Monday, April 24, 2023 9:58:27 AM

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**From:** Lesli Ashley <lesli@empowerfamilylawllt.com>  
**Sent:** Monday, April 24, 2023 9:58 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** SUPPORT for RULE CHANGE TO APR 28

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I am writing to express my strong support for the proposed court rule change APR 28 that would allow LLLTs to assist with minor guardianship cases. As you are likely aware, when the legislature sunset the Nonparental Custody Statute and replaced with the guardianship statute, the knowledge gap grew substantially. The public need for affordable and accessible legal services in this area is significant, and there is a limited number of practitioners available to meet this demand. This is especially true in rural and economically depressed areas.

By allowing LLLTs to assist with minor guardianship cases, we can help bridge this gap and ensure that more people have access to the legal support they need. LLLTs are trained and qualified to provide legal services in specific areas of law, and their expertise can be particularly valuable in minor guardianship cases, where many individuals may be navigating complex legal issues for the first time.

Moreover, by reintroducing the role of LLLTs in minor guardianship cases, we can help reduce the burden on the court system and free up resources to address other pressing legal needs. This is particularly important given the current strain on our courts due to the COVID-19 pandemic.

Overall, I believe that the proposed court rule change to allow LLLTs to assist with minor guardianship is a sensible and necessary step that will benefit both the public and the legal system as a whole. I strongly urge you to support this change and work to ensure that it is implemented as quickly and effectively as possible.

Thank you for your time and attention.

Sincerely,

--

**Lesli Ashley**

**Empower Family Law LLLT**

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: In Support of Amendments to APR 28  
**Date:** Thursday, April 6, 2023 8:17:06 AM

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**From:** Miryam Gordon <miryam@lllt4familylaw.com>  
**Sent:** Wednesday, April 5, 2023 5:03 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** In Support of Amendments to APR 28

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I write to support the entire slate of changes proposed by the LLLT Board, both the practice rules for the Board itself and the LT profession via changes to APR 28.

I hope the Court will accept all the suggested changes, since each one of them has been carefully crafted and thought about to make positive changes for the future.

Changes to LT Board Structure:

Changes to how the LLLT Board is composed and what it is tasked with seem fairly simple to agree to, and adjusting the Board activities into a future where, right now, there are not going to be any further LTs "created" through education, training or testing. I live in hope that in the not-too-distant future, there might be some kind of resurrection of the LT license or similar intermediate legal license so that access to justice isn't just a phrase that the Court proclaims, but there is a program and expansion of legal services that provide more access, as the LT program and license were meant to do and which we do actually practice.

Allowing LTs to practice in Minor Guardianship (Title 11.130)

Amending the practice rules regarding non-parental custody are extremely important. The set of statutes in Title 26 simply disappeared two years ago. But the need and the family desperations that cause children to be unstable and unsafe did not.

The new Title 11 minor guardianships offer an important support for emergency guardianship, for parents in physically damaging accidents, or the death of a parent, or abusive situations, or many other ways in which children must be kept safe and given stable care, most often within the same family structures (grandparents, aunts, uncles, etc.). At this moment, LTs run the risk of being considered "outside their license" and facing disciplinary actions if they help a client obtain an emergency guardianship, even if the client has no idea how to do that themselves, and even if the child/children is/are in grave distress.

Yet minor guardianships are essentially the same function of the "old" Title 26 statutes, just refined a bit more, and giving older children a lot more agency over their lives. The success of obtaining a minor guardianship also lessens the need for the State to step in in a dependency procedure, lessens the possible foster care placement, and increases the options for continued family care, in the larger family structure. This keeps the child(ren) close to all the family that they are used to having in their lives.

Further, in my role of Court Visitor/GAL for minor guardianships in King County, I have personal knowledge of just how few attorneys are taking on client petitioners in minor or any other guardianships, right now, since many attorneys have shied away from working within the new UGA rules (Title 11.130), which they see as complicated. It was most unfortunate that all of the case law developed from Title 26 NonParental Custody statutes was basically swept away.

This lack of legal services increases the probability of pro se petitioners who are in the midst of trying to take care of a children, sometimes completely without warning, while also trying to figure out extremely complicated guardianship statutes. This decreases the options family face to keep children safe and secure.

There are thousands of family members or friends of family who need help establishing a minor guardianship, and only handfuls of attorneys to help. This is an area that LTs could and should be allowed to serve in.

If LTs can provide services in this area of law (guardianships), it enhances safety for families across the state. The fact that LTs also charge less than attorneys means that they might help these families be served more easily than attorneys.

The UGA may eventually be amended in order to work more effectively. But from a services perspective, allowing LTs to do this work, now, increases families' access to help. LTs' scope already allowed this work under a different set of statutes.

The only small amendment I would like to request is to change the sentence: "ix. agreed or default minor guardianships or guardianships arising out of a familial relationship; and" by striking the words "arising out of a familial relationship" because I find them confusing and limiting in a way that could cause confusion among both LTs and potential clients as far as what the word "arising" means and it might limit a friend of the family's attempt to help a child even if the other family members agree. Allowing minor guardianships to be "in scope" just as non-parental custody actions were "in scope" would be a cleaner, easier-to-understand concept.

Thank you,

--

Miryam Gordon

Legal Technician, WSBA #157LLLT

12345 Lake City Way NE #200, Seattle WA 98125

(message phone) 425-298-3567

Limited License Legal Technicians (LLLTs) are licensed to advise and assist people going through divorce, child custody and other family-law matters in Washington. (see [WSBA.org](http://WSBA.org) for more information)

The LLLT RPC Preamble says: A LLLT'S RESPONSIBILITIES

[1] A LLLT is authorized to provide limited legal services that lie within the scope of the practice that the LLLT is licensed to undertake. Within that scope, a LLLT is a member of the legal profession, is a representative of clients, and has a special responsibility for the quality of justice.

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**WASHINGTON STATE**  
**BAR ASSOCIATION**  
 Regulatory Services Department

**FY 2023 LLLT Board Roster**

<b>Name</b>	<b>Position</b>	<b>Term Expiration</b>
<a href="#">Stephen Crossland</a>	Chair	Chair 10/01/2022-9/30/2023  1st term (full) Member 10/01/2022-09/30/2025
<a href="#">Nancy Ivarinen</a>	Vice Chair	Vice Chair 10/01/2022-09/30/2023  1st term Member 10/01/2021-09/30/2022
<a href="#">Athanasios Papailiou</a>	Member	1st term (full) 10/01/2021- 09/30/2024
<a href="#">Thomi Leigh Manker</a>	Member	1st term (partial) 10/01/2021-09/30/2023
<a href="#">Nicole Searing</a>	Member	1st term (full) 10/01/2021- 09/30/2024
<b>Deanna George</b>	Public	1st term (partial) 02/02/2021-09/30/2024
<b>John Darling</b>	Public	1st term (full) 10/01/2021- 09/30/2024
<a href="#">Sara Bové</a>	Member	1st term (full) 10/01/2020- 09/30/2023
<a href="#">Jennifer Ortega</a>	Member	2nd term (full) 10/01/2022-09/30/2025
<a href="#">Christy Carpenter</a>	Member	2nd term (full) 10/01/2021- 09/30/2024
<a href="#">Jennifer Bull</a>	Member	2nd term (full) 10/01/2020-09/30/2023
<a href="#">Crystal Lambert</a>	Member	1st term (full) 10/01/2020-09/30/2023
<a href="#">Margaret Bridewell</a>	Member	1st term (full) 10/01/2020-09/30/2023
<b>Amy Riedel</b>	Public	2nd term (full) 10/01/2021- 09/30/2024
<b>Phyllis Lykken</b>	Public	1st term (full) 10/01/2022- 09/30/2025

Name	Position	Term Expiration
Ex Officio		
Carolyn McKinnon	SBCTC Representative	
BOG Liaison		
<a href="#">Lauren Boyd</a>		
<a href="#">Sunitha Anjivel</a>		
ATJ Board Liaison		
<a href="#">Judge Fred Corbit</a>		
WSBA Staff		
<a href="#">Cathy Biestek</a>	<a href="#">Innovative Licensing Manager &amp; Regulatory Counsel,</a> <a href="#">Regulatory Services Department</a>	



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 206.727.8289 | [llt@wsba.org](mailto:llt@wsba.org) | [www.wsba.org](http://www.wsba.org)