



LIMITED LICENSE LEGAL TECHNICIAN BOARD

BOARD MEMBER ORIENTATION

Thank you for volunteering!

Mission and Role of the WSBA

The WSBA's mission is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

The WSBA administers the licensing and renewal process for Washington licensed legal professionals on behalf of and under rules adopted by the Washington Supreme Court.

The Court, the Board, and the WSBA

WSBA makes decisions about administrative procedures; the LLLT Board guides the policies and growth of the LLLT license under the supervision of the Court.

Supreme Court

The Supreme Court appoints the LLLT Board and maintains authority over the LLLT license.



Limited License Legal Technician Board

The LLLT Board recommends additions and alterations to the rule governing the LLLT license to the Supreme Court.



Washington State Bar Association

The WSBA staffs the program, performs regulatory functions, and provides administrative support for LLLTs and the LLLT Board.

WSBA VALUES

WSBA VALUES (adopted January 28, 2016)

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the “WSBA Community”) in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information

A TWO-TRACK APPROACH

Access to Justice and
Consumer Protection



GR 24 defined the practice of law in an effort to provide ethical competent legal services to the public, protect the public from the unauthorized practice of law, and not unreasonably restrain trade.



GR 25 established the Practice of Law Board. The POLB began developing ideas for a limited license to practice law.

SUPREME COURT ORDER

June 15, 2012: Supreme Court issues order adopting LLLT Rule, stating “[w]e have a duty to ensure the public can access affordable legal and law related services, and that they are not left to fall prey to the perils of the unregulated market place.” Order at 5-6.



PRIMARY PURPOSE OF THE LLLT LICENSE



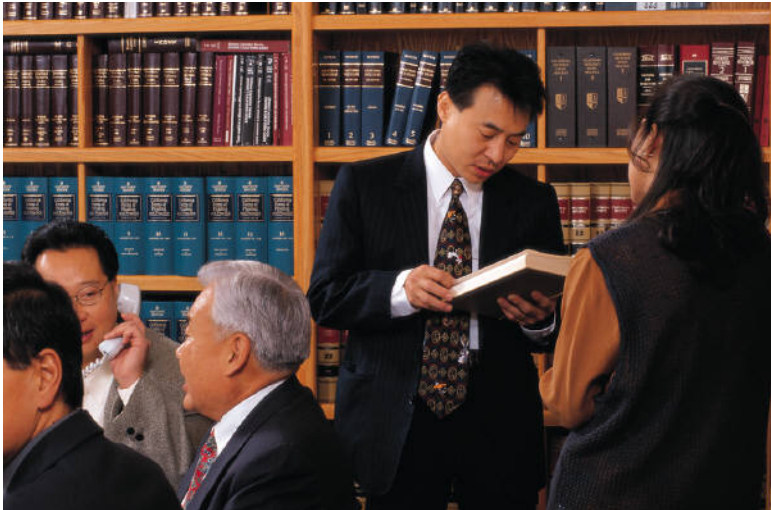
To serve the public with qualified and regulated legal services providers at a price that the consumer can afford.

AFFORDABLE

QUALIFIED

**100%
REGULATED
100%**

LEGAL SERVICES DELIVERY MARKET



INITIAL PRACTICE AREA



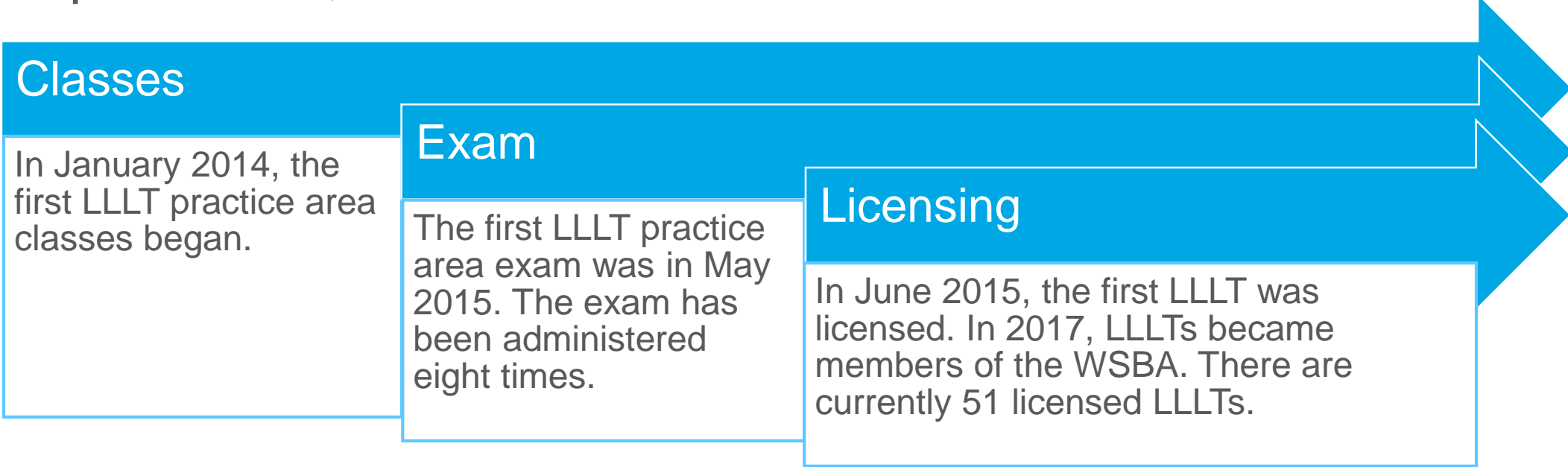
Family law
chosen as first
practice area



Approved by
Supreme Court
in March 2013

Brief History of the LLLT License (2013-2017)

The LLLT Board began its work in January 2013. The Board broke into committees to begin developing the specifics of the scope of practice, curriculum, examinations, licensing requirements, and Rules of Professional Conduct.



FAMILY LAW

Divorce and dissolution

Parenting and support

Parentage or paternity

Child support modification

Parenting plan modification

Domestic violence protection orders

Committed intimate relationship only as they pertain to parenting and support issues

Legal separation

Nonparental and third party custody

Other protection or restraining orders arising from a domestic relations case

Relocation

LIMITED LICENSE LEGAL TECHNICIANS MAY:

Inform clients of applicable procedures and anticipated course of legal proceedings

Advise clients of necessary documents and explain their relevance

Select, complete, file, and serve approved forms and advise of their significance

Review documents and exhibits from the opposing side and explain them to client

Communicate and negotiate with the opposing party or counsel regarding procedural matters

Negotiate a client's legal rights – with client's written consent defining parameters of negotiation

A LLLT IN FAMILY LAW MAY ALSO:

Prepare paperwork and accompany and assist clients in alternative dispute resolution proceedings

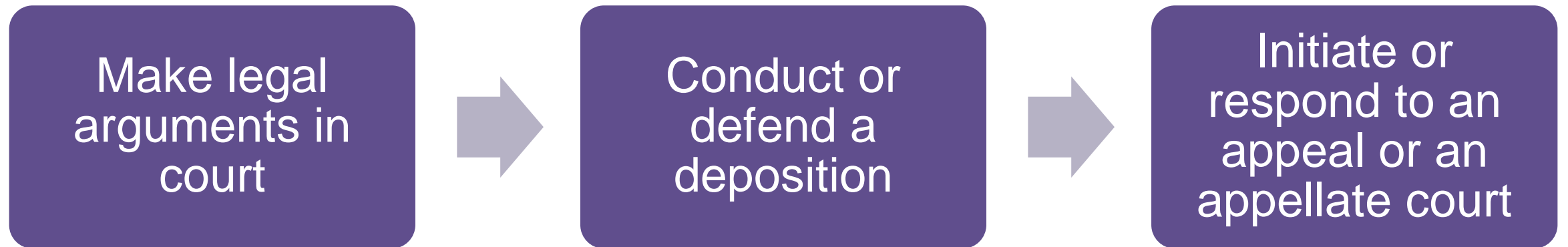
Accompany, assist and confer with clients at depositions

Present to a court: agreed orders, uncontested orders, default orders, and accompanying documents

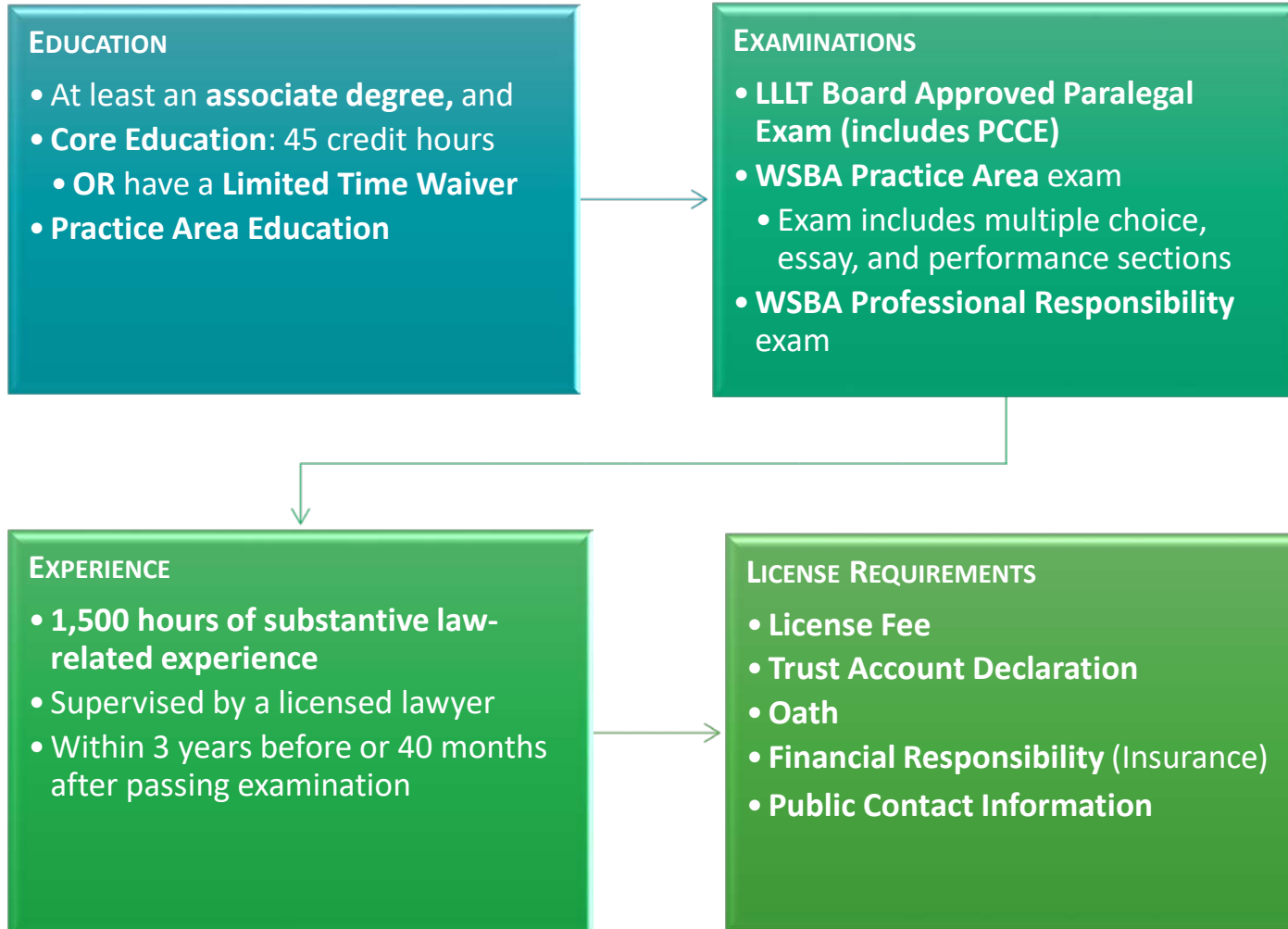
Accompany, assist and confer with clients at court, and respond to direct questions from the court regarding factual and procedural issues—limited to specific types of hearings

SCOPE LIMITATIONS

LLLTs are NOT allowed (unless permitted by GR 24) to:



Pathway to the LLLT License



MCLE

- Governed by APR 11
- 30 credits every three years
- 15 law & legal procedure
- 6 ethics
- “Other” credits – additional approved subject areas
- Approved Activities in addition to traditional CLE
- Complete credits by December 31
- Report/Certify credits by February 1

LLLT Board

- Established and Governed by APR 28(C)
- 15 Voting Members
 - At least 11 Washington lawyers, LLLTs, LPOs
 - 4 members are Washington residents who do not have a license to practice law.
- Three-year terms
- Appointed by the Washington Supreme Court

2021 LLLT Board Committees

Discipline

Family Law
Practice Area
Workgroup

Nominations
& Outreach

RPC
Committee

Family Law
Exam
Committee

LLLT Board Philosophy

- The LLLT Board is committed to making the LLLT program affordable, accessible, and academically rigorous for LLLT candidates.
- The Board is also committed to creating conditions which promote the accessibility and affordability of LLLT services for the consuming public.
- Discussions at the Board level should be able to move past what is possible today to a bigger vision of what tomorrow should look like. Members strive to imagine ways to move through barriers, change regulations or laws, and innovate in order to spread access to justice for low and moderate income individuals.

LLLT Board Schedule

- Board meetings are generally held the second Monday of each month from 1:00-4:00 pm at the WSBA. Each year, a few meetings will be scheduled on other dates due to conflicts. Due to COVID-19 precautions and workplace requirements, Board meetings will be held remotely by Zoom until further notice.
- Committee meetings are often scheduled in the mornings before the full Board meetings, but may be scheduled at any time at the discretion of the committee chair.
- The Board typically meets with the Supreme Court once a year.

LLLT Board Member Expectations

- Attendance at most or all meetings (remote or in person).
- Advance review of meeting materials.
- Participation in two or more committees.
- The ability to disagree respectfully.
- Willingness to develop materials such as issue statements and speak on behalf of the LLLT program as needed.
- A commitment to collaboration with other Board members and WSBA staff
- Timely compliance with expense reimbursement policy.

Essential Preparation for Service

- Review important materials:
 - APR 3-5
 - APR 28
 - LLLT RPC
 - LLLT Board roster
 - Recent meeting minutes
 - Review Expense Policy
- Check out the LLLT website: www.wsba.org/lllt
- Think about which committees you would like to serve on.

Thank You

We look forward to working with you!

**Steve Crossland, LLLT Board Chair
Washington State Bar Association
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steve@crosslandlaw.net**

**Bobby Henry, Associate Director, Regulatory
Services Department
Washington State Bar Association
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Press and Outreach Update: October 2020

Press
http://www.chronline.com/northwest_regional_news/washington-supreme-court-position-3-montoya-lewis-v-larson/article_f33968b6-07f6-11eb-8da5-930a9fb6bc5a.html
Statistics
LLLT Statistics: <ul style="list-style-type: none">Total number of active LLLTs: 46 <i>4 LLLTs are inactive; 1 LLLT is administratively suspended; 1 has voluntary resigned</i>
Meetings
Recent: <ul style="list-style-type: none">LLLT Board Meeting on September 14, 2020 Upcoming: <ul style="list-style-type: none">LLLT Board Meeting on November 9, 2020



A. LIMITED TIME WAIVER POLICIES

1: RELATING TO QUALIFYING EXAMINATIONS

There are three qualifying examinations approved for the limited time waiver:

- Certified Paralegal (CP) Exam conducted by the [National Association of Legal Assistants](#) (NALA)
- Paralegal Advanced Competency Exam (PACE) conducted by the [National Federation of Paralegal Associations](#) (NFPA)
- Professional Paralegal (PP) Exam conducted by the [Association for Legal Professionals](#) (NALS)

Nothing about this policy changes the requirement that applicants for a limited time waiver satisfy the experience requirement.

B. EXAMINATION POLICIES

1: RELATING TO THE CORE CURRICULUM EXAMINATION

In order to satisfy the requirement of APR 5(c)(3), an applicant for licensure must take and pass a LLLT Board approved paralegal examination. At its September 14, 2020 meeting, the Board determined that the following paralegal examinations are approved and meet the requirement of APR 5(c)(3):

- Paralegal Core Competency Exam (PCCE) conducted by the National Federation of Paralegal Associations (NFPA)
- Certified Paralegal (CP) Exam conducted by the [National Association of Legal Assistants](#) (NALA)
- Paralegal Advanced Competency Exam (PACE) conducted by the [National Federation of Paralegal Associations](#) (NFPA)
- Professional Paralegal (PP) Exam conducted by the [Association for Legal Professionals](#) (NALS)
- Certified Legal Professional (CLP/PLS) Exam conducted by the [Association for Legal Professionals](#) (NALS)

Proof of passage must be submitted to the Washington State Bar Association when the applicant applies for licensure, after the applicant has passed both the Practice Area and Professional Responsibility exams.

2: RELATING TO THE FORMER PCCE REQUIREMENT

Any applicant who received a waiver under Regulation 4 and who applied prior to December 31, 2018, was not required to take and pass the PCCE and shall be considered to have met the requirements of the core curriculum examination.

C. EDUCATION REQUIREMENTS FOR LLLT APPLICANTS

1. RELATING TO THE AA OR HIGHER DEGREE REQUIREMENT

APR 3(e)(2)(A) describes the degree requirements for qualification for LLLT examination as “to qualify to sit for the examination, a person must; (1) be at least 18 years of age. (2) have the following education, unless waived through regulation: (A) An associate level degree or higher...”

At its January 14, 2019 meeting, the LLLT board approved a policy to accept foreign degree equivalency as follows: A foreign degree can be used to meet the associate level degree requirement if accompanied by foreign degree



equivalency documentation issued by the credentialing service utilized by the college providing the core curriculum education.

2. RELATING TO LLLT-BOARD APPROVED PROGRAMS

Applicants for licensure must demonstrate that they have completed the core curriculum requirements defined in APR 28 Regulation 3. At its August 28, 2019 meeting, the LLLT Board approved a policy to allow an applicant who has completed any part of the core curriculum at a LLLT Board approved program prior to the program's LLLT Board-approval date, to request review of courses taken prior to the date of LLLT-Board approval by submitting proof that each course is in compliance with the LLLT Board's core education requirements.



THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF SUGGESTED
AMENDMENTS TO APR 3 AND APR 5

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ORDER

NO. 25700-A-1305

The Washington State Supreme Court considered the request by the Limited License Legal Technician (LLLT) Board to change the requirement of a LLLT candidate to take the specific Paralegal Core Competency Exam cited in APR 3(e)(3), to completing a LLLT Board approved paralegal certification examination instead. Further, the court reviewed the requirement to take such an exam prior to sitting for the LLLT exam and determined that the LLLT Board approved paralegal certification examination requirement should be required for licensure only. Because of the impact of COVID-19 and the pending deadline for completion of the LLLT requirements, some students may not be able to complete the paralegal certification examination prior to sitting for the LLLT examination. Requiring proof of completion of a LLLT Board approved paralegal certification examination prior to licensing, instead of prior to the LLLT examination, would assist eligible candidates in completing all requirements for LLLT licensure.

Having recommended the expeditious adoption of the suggested amendments, and the Court having considered the suggested amendments to APR 3 and APR 5, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as attached hereto are expeditiously adopted.

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ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO APR 3 AND APR 5

(b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested amendments will be published expeditiously in the Washington Reports and will become effective immediately.

DATED at Olympia, Washington this 10th day of September, 2020.


CHIEF JUSTICE

APR 3
APPLICANTS FOR ADMISSION TO PRACTICE LAW

(a) – (d) [Unchanged.]

(e) Qualification for Limited License Legal Technician (LLLT) examination. To qualify to sit for the LLLT examination, a person must;

(1) be at least 18 years of age and

(2) have the following education, unless waived through regulation:

(A) an associate level degree or higher;

(B) 45 credit hours of core curriculum instruction in paralegal studies pursuant to APR 28 Regulation 3 with instruction to occur at an American Bar Association (ABA) approved law school, an educational institution with an ABA approved paralegal education program, or an educational institution with an LLLT core curriculum program approved by the LLLT Board; and

(C) in each practice area in which an applicant seeks licensure, instruction in the approved practice area based on a curriculum developed by or in conjunction with an ABA approved law school, covering the key concepts or topics and the number of credit hours of instruction required for licensure in that practice area, as determined by the LLLT Board.

~~(3) present original proof of passing the Paralegal Core Competency Exam administered by the National Federation of Paralegal Associations.~~

(f) - (i) [Unchanged.]

**PREADMISSION REQUIREMENTS; OATH; RECOMMENDATION FOR
ADMISSION; ORDER ADMITTING TO PRACTICE LAW**

(a) Preadmission Requirements. Before an applicant who has passed an examination for admission, or who qualifies for admission without passing an examination, may be admitted, the applicant must:

(1) pay to the Bar the annual license fee and any mandatory assessments ordered by the Supreme Court for the current year;

(2) file any and all licensing forms required of active lawyers, limited license legal technicians (LLTs), or limited practice officers (LPOs);

(3) take the Oath of Attorney, the Oath of LPOs, or the Oath of LLTs; and

(4) designate a resident agent if required to do so by APR 13.

(b) Lawyer applicants. In addition to the requirements in subsection (a) above, lawyer applicants must:

(1) take and pass the Washington Law Component (WLC). The duration, form, and manner of the WLC shall be as prescribed by the Bar. The WLC minimum pass score is 80 percent; and

(2) complete a minimum of 4 hours of education in a curriculum and under circumstances approved by the Bar.

(c) LLT Applicants. In addition to the requirements in subsection (a) above, LLT applicants must:

(1) demonstrate financial responsibility pursuant to APR 28(I); and

(2) demonstrate completion of 3,000 hours of substantive law-related work experience pursuant to APR 28 Regulation 9; and

(3) present proof of passing a LLT Board approved paralegal examination.

(d) – (m) [Unchanged.]

III. MEMBERSHIP

- h. date and period of disciplinary actions or sanctions, if any, including suspension, disbarment, and revocation;
 - i. such other data as the BOG or Washington Supreme Court may from time to time require of each member.
- 3. Any Active member residing out-of-state must file with the Bar, in such form and manner as the Bar may prescribe, the name and physical street address of a designated resident agent within Washington State. The member must notify the Bar of any change in resident agent within 10 days of any such change.
- 4. Any member who fails to provide the Bar with the information required to be provided pursuant to these Bylaws, or to notify the Bar of any changes in such information within 10 days, will be subject to administrative suspension pursuant to these Bylaws and/or the Admission and Practice Rules. Judicial members are exempt from suspension pursuant to this provision while eligible for Judicial membership and serving as a judicial officer.

D. CHANGE OF MEMBERSHIP STATUS TO ACTIVE

- 1. Members may change membership status as provided below.
 - a. **Transfer from Inactive to Active.**
 - 1) An Inactive member or Honorary member may transfer to Active by:
 - (a) paying an application and/or investigation fee and completing and submitting an application form, all required licensing forms, and any other required information. The fee in this paragraph is not required from an LPO or LLLT who has been inactive for 90 days or less;
 - (b) earning, within the six years preceding the return to Active status, and reporting the total number of approved MCLE credits required for one reporting period for an Active member with the same license type, and paying any outstanding MCLE late fees that are owed. If the member has been Inactive or a combination of Suspended and Inactive for less than one year, and the member would have been required to report during the time the member was Inactive and/or Suspended, the member must establish that the member is compliant with the MCLE reporting requirements for that reporting period before the member can change to Active. This paragraph does not apply to members transferring back to Active during their first MCLE reporting period;
 - (c) passing a character and fitness review essentially equivalent to that required of all applicants for admission to the Bar, pursuant to APR 20-24.3; and
 - (d) paying the current Active license fee, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as an Inactive member for the same year.
 - 2) If a member was Inactive or any combination of Suspended and Inactive in Washington for more than six consecutive years, the member must earn MCLE credits in a manner consistent with the requirement for one reporting period for an Active member of the same license type, and these credits must be earned and reported within the three

III. MEMBERSHIP

years preceding the return to Active status. In addition, the member must complete a reinstatement/readmission course sponsored by the Bar, which must consist of education on law office management and professional responsibility (including the applicable RPC for the member's license type, proper handling of client funds and trust accounts, and client communications), legal research and writing, and changes in the law that apply to the member's license type, as follows:

- (a) For lawyer members, a minimum of 15 live CLE credits, consisting of at least four credit hours on law office management and professional responsibility, at least three credit hours on legal research and writing, and the remaining credit hours on recent significant changes in the law;
- (b) For LLLT members, a minimum of seven live CLE credits, consisting of at least two credit hours on law office management and professional responsibility, at least one credit hour on legal research and writing, and the remaining credit hours on recent significant changes in the law in approved LLLT practice or core education areas;
- (c) For LPO members, a minimum of seven live CLE credits, consisting of at least two credit hours on professional responsibility, and the remaining credit hours on recent significant changes in the law covered by the approved LPO Study Topics.

The member is required to pay the cost of the course. Any member completing such course will be entitled to credit towards mandatory continuing legal education requirements for all CLE credits for which such reinstatement/readmission course is accredited. The member must comply with all registration, payment, attendance, and other requirements for such course, and will be responsible for obtaining proof of attendance at the entire course and submitting or having such proof submitted to the Bar.

Periods of administrative and/or disciplinary suspension occurring immediately before or after a change to Inactive will be included when determining whether a member is required to take the readmission course. For purposes of determining whether a member has been Inactive and/or Suspended for more than six consecutive years, the period continues to run until the change to Active membership is completed, regardless of when the application is submitted to the Bar.

- 3) Any member seeking to change to Active who was Inactive or any combination of Suspended and Inactive in Washington and does not have active legal experience as defined in APR 1(e) in any jurisdiction for more than ten consecutive years, is required to complete the requirements in Art. III. Sec.D.1.a.1)(a), (c) and (d), above, and is also required to take and pass the examinations required for admission to the Bar for the member's license type.
- 4) A Disability Inactive status member may be reinstated to Active pursuant to the disciplinary rules applicable to their license type. Before being transferred to Active, after establishing compliance with the disciplinary rules, the member also must comply with the requirements in these Bylaws for Inactive members transferring to Active status.

III. MEMBERSHIP

- 5) A member of any type who has transferred to Inactive status during the pendency of a grievance or disciplinary proceedings may not be transferred to Active except as provided herein and may be subject to such discipline by reason of any grievance or complaint as may be imposed under the ELC, ELPOC, or ELLTC.

b. Transfer from Judicial to Active.

A Judicial member may request to transfer to any other status, including Active. Upon a Judicial member's resignation, retirement, or completion of such member's term of judicial office, such member must notify the Bar within 10 days, and any Judicial member desiring to continue his or her affiliation with the Bar must change to another membership status within the Bar.

- 1) A Judicial member who has complied with all requirements for maintaining eligibility to return to another membership status may transfer to Active by submitting an application for change to Active membership status and
 - (a) paying the then current Active license fee for the member's license type, including any mandatory assessments, less any license fee (not including late fees) and assessments paid as a Judicial member for the same licensing year; and
 - (b) complying with the MCLE requirements for members returning from Inactive to Active. Either judicial continuing education credits or lawyer continuing education credits may be applied to the credit requirement for Judicial members transferring to Active. If judicial continuing education credits are applied, the standards for determining accreditation for judicial continuing education courses will be accepted as establishing compliance.
- 2) A Judicial member wishing to transfer to Active upon leaving service as a judicial officer who has failed in any year to provide the annual member registry information or pay the annual license fee required of Judicial members to maintain eligibility to transfer to another membership status shall, prior to transfer to Active, be required to pay the Active license fee for the member's license type any years the registry information was not provided or the Judicial fee was not paid, in addition to complying with the requirements of (a) above.

c. Transfer from Emeritus Pro Bono to Active

An Emeritus Pro Bono member may transfer to Active by complying with the requirements for members returning from Inactive to Active. There is no limit on how long a member may be Emeritus Pro Bono before returning to Active status.

d. Referral to Character and Fitness Board

All applications for readmission, reinstatement or transfer to Active status will be reviewed by Bar staff and handled consistent with the provisions of APR 20-24.3. In all cases reviewed by it, the Character and Fitness Board has broad authority to recommend withholding a transfer to Active status or imposing

Charter

WSBA
Board of Governors

Purpose

TASK FORCE TEAM TO BEGIN COLLABORATIVE DISCUSSION WITH COURT REGARDING DELEGATED ADMINISTRATED ENTITIES ON ISSUES BOTH SUBSTANTIVE, FISCAL, AND ADMINISTRATIVE DUE TO THE CONTINUAL CONFLICTS RESULTING

Overall Role and Responsibility

The Washington State Bar Association (WSBA) Board of Governors recognizes the need for a task force to be able to work with the Washington Supreme Court to coordinate efforts to administer Court Boards and facilitate cooperation and the sharing of information between the Court and the WSBA on issues related to substantive, fiscal and administrative concerns.

The Task Force Team Administering Xenial Involvement with Court Appointed Boards will be comprised of six sitting Governors from the WSBA and one WSBA staff liaison to advise and counsel the Task Force.

The Task Force responsibilities will include:

1. Assessing the WSBA's collaborative role in administering Court appointed Boards, to include current and future boards appointed or established by the Court. Currently, these Boards include the Access to Justice Board, Disciplinary Board, Limited License Legal Technician Board, Limited Practice Board, Mandatory Continuing Legal Education Board and the Practice of Law Board (Court Appointed Boards).
2. Working with the Court to ensure that WSBA's administration of current Court Appointed Boards is consistent with the Court's intent and to share information that will enable the Court Appointed Boards to better serve their missions. This includes providing information regarding the fiscal impact of the Court Appointed Board and substantive measures that could be taken to improve and better facilitate the Boards.
3. Conveying to the court substantive information about the Boards and member concerns.

Action Taken by the Task Force

Action of the Task Force shall be made by majority/consensus decision of the Task Force.

Roster

Kyle Sciuchetti – Chair; Governor District 3

Dan Clark – Governor District 4

P.J. Grabicki – Governor District 5

Jean Kang – Governor District 7 South

Brian Tollefson – Governor District 8

Sunitha Anjilvel – Governor District 1

Charter and roster approved by the Board of Governors on April 17, 2020.