

Washington Courts Practice of Law Board

Legal Checkup Plan

Version 1.1
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Table of Contents

1.0 Legal Checkup Goals and Objectives 3

 1.1 Legal Checkup Goals 3

 1.2 Legal Checkup Objectives 3

 1.3 Legal Checkup Non-objectives..... 5

2.0 Legal Checkup Plan 7

 2.1 Crowdsourcing the Legal Checkup 7

 2.2 Legal Checkup Templates 9

 2.3 One-Pager Hardcopy Version 9

 2.4 PDF (Downloadable Version)..... 11

 2.5 The Online Version 12

3.0 Next Steps 13

4.0 Appendix A: Sample Legal Checkup Template (Draft) 14

5.0 Appendix B: Legal Checkup Topics..... 16

1.0 Legal Checkup Goals and Objectives

Under GR 25, the Washington Supreme Court’s Practice of Law Board (Board) is charged with the responsibility to “educate the public about how to receive competent legal assistance.”¹

To fulfill this responsibility, the Board has been working for several years to create a tool originally called the ‘Legal Health Checkup.’ Initially this tool followed a “health” metaphor as it was envisioned as helping people ‘diagnose’ their legal problem(s), and then get them ‘treatment.’ In working on the tool, the health metaphor was cumbersome and confusing, and therefore the title has been simplified to ‘Legal Checkup’.

However, the Legal Checkup still follows the model of helping a person determine if they have a legal issue, and then guiding them to resources to help address the issue.

1.1 Legal Checkup Goals

The Legal Checkup should help people:

- 1) determine if they have any legal issues; and
- 2) find resources to address any identified legal issues.

This goal aligns with both the Board’s responsibility to provide legal education, and the Washington Supreme Court’s goal to continue to address access to justice as detailed in a 2015 study which found:

More than 70% of the state’s low-income households experience at least one civil legal problem each year on matters affecting the most fundamental aspects of their daily lives, including accessible and affordable health care; the ability to get and keep a job; the right to financial services and protection from consumer exploitation; and the security of safe and stable housing. Those who face one such problem, often have other serious and related problems at the same time.²

1.2 Legal Checkup Objectives

To accomplish the goal of the Legal Checkup, the Board has set these objectives.

¹ See Washington Courts, General Rule 25(b)(1), Practice of Law Board, Responsibilities, available at https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_25_00_00.pdf.

² Washington State Supreme Court, Civil Legal Needs Study Update Committee, 2015 Washington State Civil Legal Needs Study Update, 3, Oct. 2015, available at https://ocla.wa.gov/wp-content/uploads/2015/10/CivilLegalNeedsStudy_October2015_V21_Final10_14_15.pdf.

1.2.1 Easily understandable information

Legal Checkup information should be written in clear, simple terms, avoiding legalese and jargon, and should score a Flesch reading ease score between 70.0–60.0, which would be at an 8th or 9th grade level (Easily understood by 13- to 15-year-old students).³

1.2.2 Easily translatable

Legal Checkup information should be written and presented in a manner capable of being translated into other languages.

1.2.3 Inclusive

Legal Checkup information should be inclusive of all people, and should be checked for language, tone, phrasing, and content which may be offensive or exclusive.

1.2.4 Broadly available

The Legal Checkup information should be broadly available. Information should be available in several formats, so a person need not have access to expensive technology such as a computer, smartphone, or broadband to benefit from the information.

This means there will be multiple information formats. At a minimum, there will be:

- a) a paper-based (hardcopy) format, available to be printed and manually distributed (for example, left in courthouses or libraries).
- b) a paper-based (PDF or eBook) format, available to be downloaded (and either printed or stored on a device), from the internet.
- c) an online format (chat or forms based), available from the internet.

Therefore, the Legal Checkup information should be collated so it supports multiple formats, such that the first format (hardcopy) supports collecting and validating the information, before releasing in the other formats, as shown in Figure 1.

³“Get your document's readability and level statistics,” Microsoft Office 356 Documentation, available at <https://support.microsoft.com/en-us/topic/get-your-document-s-readability-and-level-statistics-85b4969e-e80a-4777-8dd3-f7fc3c8b3fd2>.

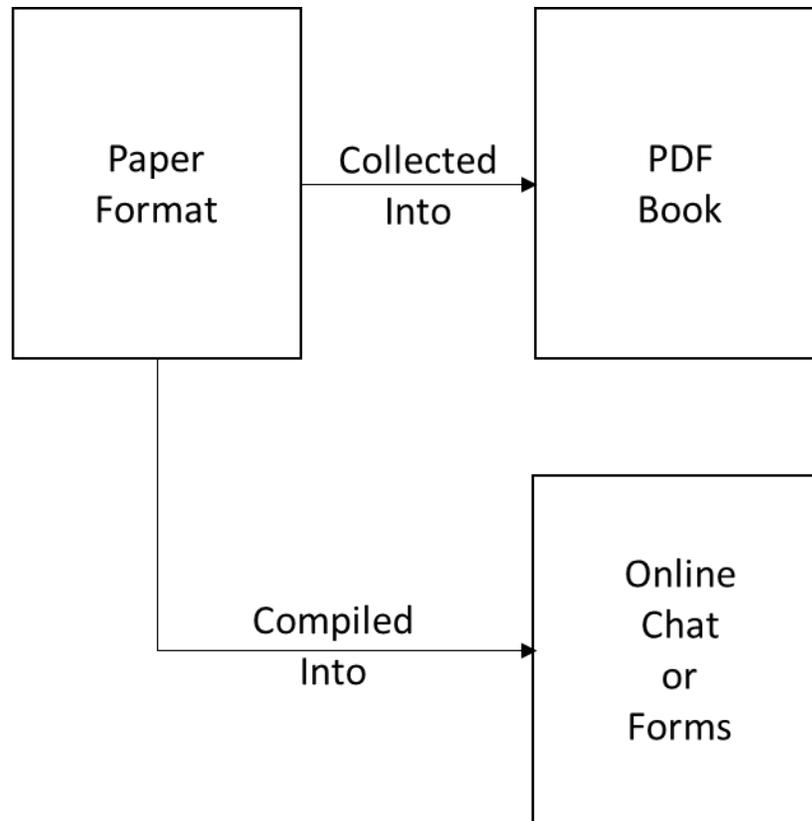


Figure 1: Legal Checkup Information Formats and Information Flow

To further ensure broad availability, the Legal Checkup information should be published under a creative commons license, which allows for derivative uses with attribution. Such a license would allow a Washington State Bar Association (WSBA) section, Minority Bar Association (MBA), or County Bar Association (CBA) to take the Legal Checkup information, translate it, add community resources, and rebrand with its name and logo, while still attributing the Board.

1.2.5 Versioned

The Legal Checkup information should be versioned, and updatable as needed to reflect feedback from the public, subject experts, and changes in the law.

1.3 Legal Checkup Non-objectives

1.3.1 Not covering all legal matters

It is not an objective that the Legal Checkup information cover all possible legal issues. At least for the first several versions, the focus will be on civil versus criminal matters, and prioritizing matters which contribute most to addressing major access to justice gaps.

1.3.2 Not covering every aspect of each legal matter

It is not an objective of the Legal Checkup information to cover each legal matter completely or to great depth—rather coverage will focus at a high-level, to help people spot the legal issues they may have and get help.

1.3.3 Not including every possible resource

It is not an objective of the Legal Checkup to include every possible resource. This is impossible. Resources are constantly changing with new resources becoming available and others becoming unavailable or stale. This is another reason for informing WSBA sections, MBAs and CBAs for editing and review—these organizations can help focus on specific community resources.

1.3.4 Not a measurement instrument

It is not an objective of the Legal Checkup to be a measurement instrument designed to determine how much any legal issue is affecting people in Washington.

It will not collect any data about people, which means there is no need to design the Legal Checkup to protect people’s privacy or personal data.

1.3.5 Not perfect (Don’t Let “Perfect” Be the Enemy of “Good”)

It is not an objective of the Legal Checkup to be perfect. The Board will strive to do its best to produce accurate and up-to-date information, but if the Board always aims for perfection, it will never meet deadlines, frustrate volunteers who will be writing and editing content, and miss opportunities to get information into the hands of people to help address the access-to-justice gap.⁴

Instead, the Legal Checkup will evolve. Again, it will be released in iterative versions, with each version improving on the previous version. Otherwise, the Legal Checkup will continue to be stalled and never get off the ground.

⁴ Don’t Let “Perfect” Be the Enemy of “Good”, Harvard Business Review, February 14, 2020, available at <https://hbr.org/tip/2020/02/dont-let-perfect-be-the-enemy-of-good>.

2.0 Legal Checkup Plan

To accomplish the Legal Checkup goals and objectives the Board will use a crowdsourced, iterative process, again focusing first on a printed (hardcopy) version, and eventually adapting Legal Checkup information into a combined PDF (eBook) and an online form- or chat-based version.

2.1 Crowdsourcing the Legal Checkup

Producing a Legal Checkup tool is an extraordinary task. Particularly for a Board staffed by volunteers.

Therefore, the Board will attempt to provide draft information for each legal subject area in a template, and then have the information reviewed by subject experts from the WSBA sections to ensure the legal content is correct, and then by the MBAs and CBAs to gather additional feedback on the content, including ensuring the vocabulary and tone of the content is correct, and to gather local community resources.

For example, a Legal Checkup on Manufactured (Mobile) Homes, could be circulated to the WSBA Solo and Small Practice and Real Property, Probate, and Trust sections for review on the law, then to the MBAs and CBAs for adding local resources, such as pointers to Housing Justice Projects in the respective counties or communities.

Once approved by these groups, and after a final review by the WSBA General Counsel, the Board will provide the Legal Checkup to the MBAs and CBAs to add their logos and distribute in their communities. Each MBA would be encouraged to translate the materials for distribution in its community.

Each finalized template would then be collated by the Board into the PDF and posted for downloading from the Court and WSBA websites and used for creation of an online version.

This basic flowchart of this crowdsourcing process is shown in Figure 2.

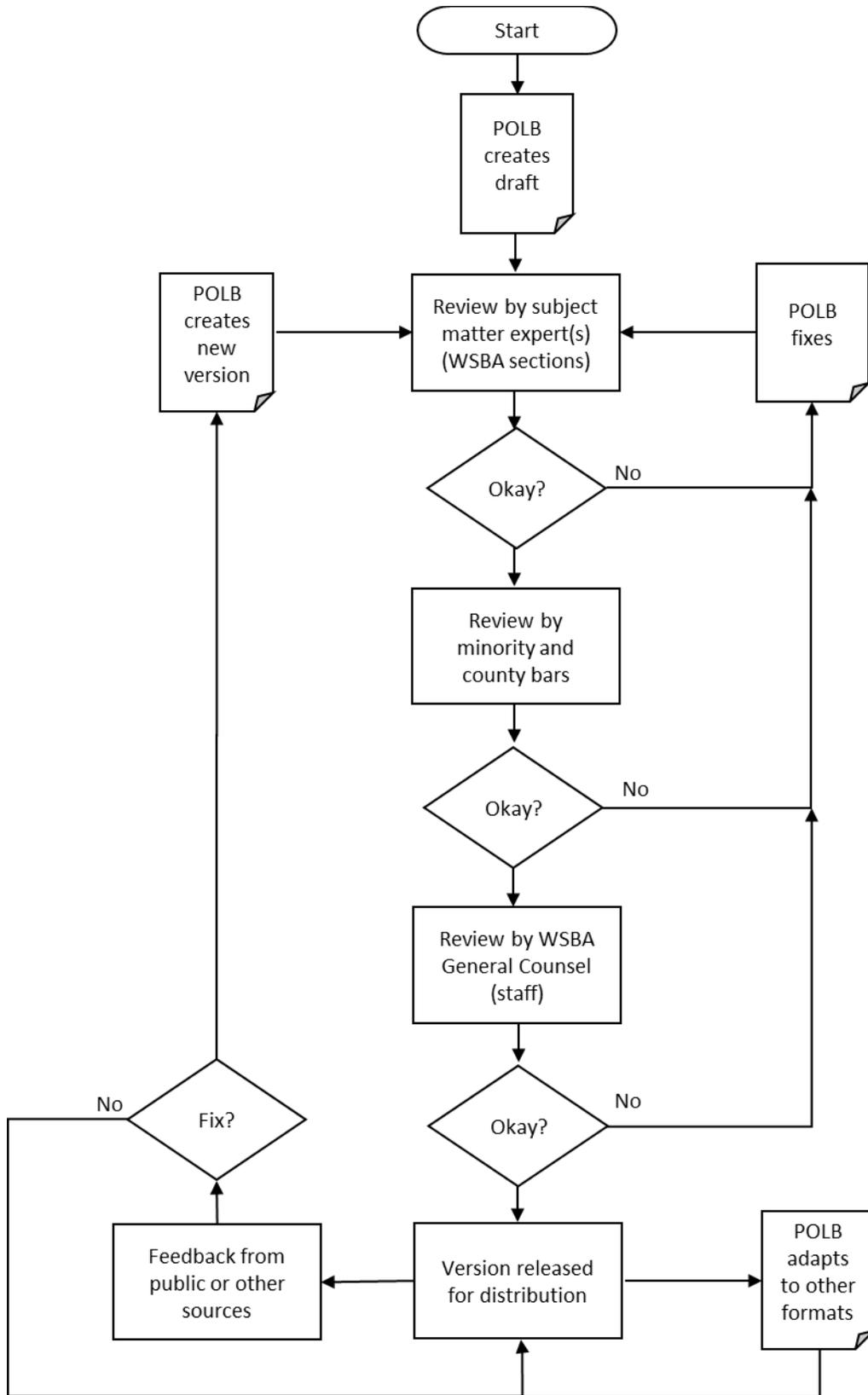


Figure 2: Legal Checkup Crowdsourcing Flowchart

2.2 Legal Checkup Templates

The basic template for the Legal Checkup uses a one-page document with the front side (first page) that offers questions about a particular legal issue, for example, renting shelter or dealing with debt. The back side (second page) provides basic information about the legal issue that helps a person better understand the issue and potentially help themselves address the issue (do-it-yourself or DIY), and then supplies resources to help the person find a legal service provider to assist them.

The legal service provider could be a lawyer, a limited license legal technician (LLLT), a legal practice officer (LPO), a legal clinic, such as the King County Bar Association Housing Justice Project, a government agency such as the Attorney General's Office, or a non-profit agency such as the Tenant's Union or Northwest Justice Project.

Generally, the Board will provide the template, with the first page listing the questions and the second page providing the legal description. The MBAs and CBAs will provide feedback on this information and provide the community resources.

2.3 One-Pager Hardcopy Version

2.3.1 Front side

The front side of the one-page hardcopy version assists a person in determining a particular legal issue. It does this by providing questions that the person answers by checking a box. The more boxes the person checks, the more likely they need help addressing the issue.

A sample is included in Appendix A.

The basic layout of the front side is shown in Figure 3.

| | | |
|--|---|----------------------------|
| ✓ | Legal Checkup Title | Distrib- utor's logo |
| Brief introduction to Legal Checkup subject matter... | | |
| Legal Checkup issue spotting questions... | | |
| POLB logo | For additional information and help... | |
| WSBA logo | | |

Fig. 3 Front-page, Legal Checkup One-page Tool

2.3.2 Back side

The back side of the one-page hardcopy version assists a person in understanding the legal issue, and then points them to resources in their community.

This shows the advantage of crowdsourcing. By using the MBAs and the CBAs, the resources can be focused to a particular community, helping to target resources to a community, and making the best use of the limited space on the page. However, this template can be naturally expanded to additional pages for resources if needed.

The basic layout of the second page is shown in Figure 4.

| | | |
|--|---------------------|-----------------------|
| ✓ | Legal Checkup Title | Distributor's Logo |
| Generalized guidance on Legal Checkup subject matter... | | |
| Localized community resources... | | |
| POLB Logo | Final guidance | |
| WSBA Logo | | |

Figure 4. Back-page, Legal Checkup One-page Tool

2.4 PDF (Downloadable Version)

The PDF downloadable version will be produced by the Board. It will be a compilation of all the one-page Legal Checkups. It will be edited to present the questions first, to help people who may have more than a single issue, and it will contain a complete state-wide list of resources.

Again, it will benefit from the review and feedback by the MBAs and CBAs, particularly in documenting all the resources available across the state, and potentially being translating the Legal Checkups to other languages.

The format of the PDF version will be determined by the final one-page Legal Checkups, both for layout and content. It will be produced as the one-page templates are approved and will evolve as more and more of the one-page Legal Checkups are generated and move through the crowdsourcing process.

2.5 The Online Version

The content of the Legal Checkup one-page versions will also form the content of the online version.

At this time the plan calls for using the Josef legal automation platform⁵ to create a form- and chat-based version which could be accessed by computer or smartphone. Development of this format is on hold until some of the one-page Legal Checkups are approved and reviewed.

Generally, a person can select one or more legal issues, answer questions, and then based on their zip code, be pointed to resources.

⁵ See <https://joseflegal.com/>

3.0 Next Steps

The next steps in executing this plan are to review the plan with the Court and gain its approval, and then introduce the crowdsourcing plan to the MBAs and CBAs to gain their approval and buy-in to help create the Legal Checkups.

More detailed plans will be provided after that step is completed.

A review of the contract for the online version will align it with this plan.

4.0 Appendix A: Sample Legal Checkup Template (Draft)



Legal Check-up: Renting (Tenant)
Step 1: Identifying Potential Issues

This form helps determine if you are experiencing a legal issue as a tenant renting a place to live.

Renting (Tenant) Issues

Check the box if it applies to you

- Are you without a place to live, or about to be without a place to live?
- Have you received a notice that you are behind on your rent and have not been able to comply with the notice?
- Have you received notices to comply with your lease and have not been able to comply or have concerns about complying (following the lease terms)?
- Have you received a summons and complaint (together or separately) to evict you—or a Writ of Eviction (from the Sheriff)?
- Is the space you’re renting unsafe (There is no heat, or water, or working plumbing)?
- Were you discriminated against in applying for rented space?
- Do you believe the landlord or manager is harassing you?
- Are you living in a space without a current lease?
- Do you need to end your lease before its end date?
- Have you been unable to get a security deposit refund statement with 21 days after you moved from the rented space?

WASHINGTON COURTS
 PRACTICE OF LAW BOARD

If you checked one or more boxes, see the next page for some suggestions...

WASHINGTON STATE
 BAR ASSOCIATION



Legal Check-up: Renting (Tenant)

Step 2: Legal Resources

These resources are available to assist you will issues about renting a place to live.

Renting (Tenant) Resources

| | |
|--|--|
| <p>Learn about Renting (Tenant) These resources will help you learn about the law and renting or being a tenant)</p> <ul style="list-style-type: none"> • Washington Law Help <ul style="list-style-type: none"> ○ https://www.washingtonlawhelp.org/issues/housing/tenants-rights • Northwest Fair House Alliance <ul style="list-style-type: none"> ○ https:// http://nwfairhouse.org/get-help • WA Department of Social and Health Services <ul style="list-style-type: none"> ○ https://www.dshs.wa.gov/housing-assistance • Tenants Union of Washington State <ul style="list-style-type: none"> ○ https://tenantsunion.org/rights • Residential Landlord Tenants Act (WA Law) <ul style="list-style-type: none"> ○ https://apps.leg.wa.gov/RCW/default.aspx?cite=59.18 • King County Law Library Tenant Assistance <ul style="list-style-type: none"> ○ https://kcll.org/research/research-guides/landlord-tenant/ • Attorney General Office Housing Resources <ul style="list-style-type: none"> ○ https://www.atg.wa.gov/residential-landlord-tenant-resources | |
| <p>Get help with Renting (Tenant) These resources may be able to help with legal issues concerning Renting (Tenant)...</p> <ul style="list-style-type: none"> • King County Bar Association Housing Justice Project <ul style="list-style-type: none"> ○ https://www.kcba.org/For-the-Public/Free-Legal-Assistance/Housing-Justice-Project • Tacoma Pro Bono Assistance <ul style="list-style-type: none"> ○ https://tacomaprobono.org/hjp/ • Snohomish County Housing Justice Project <ul style="list-style-type: none"> ○ https://snocolegal.org/housing-justice-project/ • Spokane Housing Assistance <ul style="list-style-type: none"> ○ https://www.spokanevlp.org/post/facing-eviction-apply-for-assistance-through-the-vlp-s-eviction-defense-project • Whatcom Homeless Service Center <ul style="list-style-type: none"> ○ https://www.oppco.org/whsc/ • Clear Line Legal Help <ul style="list-style-type: none"> ○ 888-201-1014—Open Mon–Fri, 9:15 am–12:15 pm. | |
| <p>WASHINGTON COURTS PRACTICE OF LAW BOARD</p> | <p><i>Need additional help? Check if your county has a legal aid or if the lawyers in your county have a Bar Association for lawyers and ask them for guidance. You may also check with your county courthouse.</i></p> |
| <p>WASHINGTON STATE BAR ASSOCIATION</p> | |

Please send feedback to help us improve this form: legalhealthcheckup@wsba.org

5.0 Appendix B: Legal Checkup Topics

Future topics to be considered for Legal Checkups include:

- Housing (Renting)
- Housing (Mortgage)
- Housing (Manufactured Homes)
- Employment (Wages)
- Employment (Termination)
- Employment (Discrimination)
- Finances (Banking)
- Finances (Loans)
- Finances (Debt)
- Education
- Identity Theft
- Misdemeanors and Fines
- Lawsuits (Summons and Complaints)
- Family Law (Divorce)
- Family Law (Adoption)
- Family Law (Child Protective Services)
- Family Law (Domestic Violence)
- Family Law (Wills)
- Family Law (Power of Attorney)
- Transportation
- Immigration
- How to Hire a Legal Professional
- How to Prepare to Meet with A Legal Professional