PRACTICE OF LAW BOARD STATE OF WASHINGTON

1325 Fourth Avenue, Suite 600, Seattle, WA 98101-2539 (206) 727-8252 • Fax (206) 727-8314

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Investigative Attorney Sandra Schilling February 10, 2009



Re: Complaint Alleging Unauthorized Practice of Law POLB No. 08-21

Dear Mr. Neville:

The Practice of Law Board was created by order of the Washington State Supreme Court, General Rule (GR) 25. The Board is charged with the investigation of allegations of unauthorized practice of law in Washington. Revised Code of Washington (RCW) 2.48.180 states that a nonlawyer practicing law or holding himself out as entitled to practice law constitutes the unauthorized practice of law. Court rule GR 24 defines the practice of law. The unauthorized practice of law is a crime in Washington.

As you are aware, the Practice of Law Board of the state of Washington opened a complaint against you alleging that you engaged in the unauthorized practice of law by prosecuting misdemeanors and gross misdemeanors for the City of Clarkston without receiving a Rule 9 license. According to Washington attorney Terms, he hired you in July 2007 to work as an intern in his office under his supervision, which you completed on April 30, 2008. During this time, you handled such cases as malicious mischief, assault, DUI, Theft, shoplifting, and driving with a suspended license.

It is unclear whether you or Mr. R failed to send in the completed Rule 9 Legal Intern Application and application fee to the Washington State Bar Association; however, a completed application and fee was never received by the Association and you were never issued a Washington Rule 9 license. Because Washington's Court Rule GR 9(b) states that "the *applicant* shall submit an application," the Board takes the position that it is the intern applicant's responsibility to complete the application and obtain the license. Additionally, because you continued to work without the license for

several months, the Board believes the facts indicate you knew that you were not authorized to practice law.

At this time, pursuant to GR 25(f)(4)(B), we request that you enter into a written agreement with this Board, to refrain from the following conduct:

- Holding yourself out as authorized to practice law in the state of Washington;
- Giving advice or counsel to others as to their legal rights or responsibilities of others for fees or other consideration;
- Selecting, drafting or completing legal documents or pleadings for others;
- Representing another entity or person(s) in a court, or in a formal
 administrative adjudicative proceeding or other formal dispute resolution
 process or in an administrative adjudicative proceeding in which legal
 pleadings are filed or a record is established as the basis for judicial
 review; and
- Negotiating of legal rights or responsibilities on behalf of another entity or person(s).

We further ask you to stipulate that in the event you violate this agreement, you agree that this stipulation, evidence of your further violation, the investigative report to the Board of your past violations, the original complaint, your response, and all other evidence of such violations shall be turned over to the appropriate County Prosecutor's Office with a request from the Board that that office institute a criminal proceeding against you.

In the event you do not return this stipulation as signed and agreed to within 15 days of the mailing of this letter, the Board will issue its report and consider turning over its investigation along with a request for prosecution to the County Prosecutor's Office.

If you disagree with the Practice of Law Board's final action, you may seek review by filing a Notice of Petition for Review with the Washington Supreme Court. The Notice must be filed within 30 days of final Practice of Law Board's action. You must serve the original Notice of Petition for Review on the Supreme Court Clerk and a copy on the Practice of Law Board. Your Notice must set out you name and address, the name and address of your counsel, if any, and a concise statement of the reason for your appeal. Your Petition must comply with the Rules of Appellate Procedure (RAP). For further information on Petitions for Review, please see GR 25(g).

We are hopeful that we will be able to resolve these matters by stipulation. If you are willing to so stipulate, please sign and date your signature and have your signature witnessed by a person over the age of eighteen, who will also sign as the witness. The signed letter should be returned to the Board within 15 days.

Thank you in advance for your anticipated cooperation.

Very Truly Yours,

Steve Crossland, Chair Practice of Law Board

Enclosure: Agreement to Refrain

JS:as

CC:

(w/out enclosure) (w/out enclosure)

University of Idaho School of Law (w/out enclosure) Idaho State Bar Association (w/out enclosure)