

# **PRACTICE OF LAW BOARD STATE OF WASHINGTON**

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## **PRACTICE OF LAW BOARD MEETING MINUTES January 26, 2007**

The Practice of Law Board met on Friday January 26, 2007 in Seattle Washington. Those present were Steve Crossland, Chair, Hon. Paul Bastine, Vice Chair, Jeanne Dawes, Nancy Ivarinen, Hon. Jane Smith, Rita Bender, Cheryl Kringle, Howard Marshack and Daniel Perez. Julie Shankland also attended and acted as secretary to the Board.

### **MINUTES**

The December 2006 Minutes were approved with one correction.

### **BOARD MEMBERSHIP**

Board member C. Robert Ford has resigned. There is some question about whether his resignation is effective immediately. After the Board verifies Mr. Ford's intentions, it will seek a new non-lawyer member to fill this unexpired term. Ms. Kringle agreed to replace Mr. Ford on the Elder Law Sub-Committee as co-Chair.

### **2007 RETREAT**

The Board voted unanimously to hold the 2007 retreat at Sun Mountain.

### **EXECUTIVE SESSION (NON-PUBLIC)**

#### **SUB-COMMITTEE ORIENTATION MEETING**

The Board conducted an orientation meeting for those asked to serve on the Legal Technician Rule Sub-Committees. Those present for this portion of the meeting, in addition to the Board members, were: Doug Lawrence, Jean Cotton, Gail Hammer, Bobby Wheeler, Katie Berger, Richard Furman, Cheri Cospers, Norma Bayes, Wil Harlock, Michelle Storms, Casey Trupin, Hon. Scott Collier, Raymundo Olivas, and Betty Gould.

Mr. Crossland provided a short background on the Practice of Law Board (GR 25), the Definition of the Practice of Law (GR 24) and the Legal Technician Project. He also explained the Board's expectations for the sub-committee work.

Ms. Cotton stated that the study group met from April through July and then extended for an additional 2 months. The non-Board members were not voting members. She emphasized that the Legal Technician Rule is not yet approved. She also stated that when the Board presented this idea to the BOG in March 2006, the only section supporting the proposed rule was RRPT. She stated the Family Law Section is very interested in participating in this process and wanted to have members of the Executive Committee on the sub-committees. The POL board did not choose the Executive Committee members as sub-committee members.

Ms. Bender explained that the Board is using the draft rule as a working document at this point in time. The sub-committee members are not involved in working on the draft rule at this point. The sub-committee task is to study the area of law as a possibility for a pilot project. The Board expects the sub-committees to seek broad input from many sources, including the family Law Executive Committee.

Hon. Bastine explained what the POL Board expects from the sub-committees:

1. You must determine whether a pilot project in your area of law is feasible.
2. You must issue a final report to the Board in the format provided in Tab 1.
3. You must decide the specific legal tasks that a legal technician in your area can and cannot perform. These technicians cannot go to court and must have the required education specified in the draft rule.
4. You must also decide the limitation of the pilot project. Decide whether geographical limitations are appropriate. Decide on the target population for the services you determine are appropriate. The services must meet a currently unmet civil legal need.
5. You must anticipate the costs to the target population and to the Legal Technician. Based on these numbers, you must determine whether services in this area are feasible. You should consider existing resources that may already meet these needs.

The Board plans to review the sub-committee reports at its October 2007 retreat. It is possible that all of the sub-committees will say this is not a good area. The ultimate determination on whether the project will go forward is with the Court. The Court has asked the Board on two of three occasions when to expect a recommendation.

The sub-committees went to separate rooms and conducted an introductory planning meeting.

The meeting was adjourned.