

PRACTICE OF LAW BOARD STATE OF WASHINGTON

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MINUTES March 9, 2007

The Practice of Law Board met on Friday March 9, 2007 at the Washington State Bar Association in Seattle, Washington. Those present were Steve Crossland, Chair, Hon. Paul Bastine, Vice Chair, Rita Bender, Jeanne Dawes, Brian Dano, Daniel Perez, Nancy Ivarinen, Cheryl Kringle, Meg Bridewell and Stephanie Delaney. Board paralegal Anna Schmidt, Board investigator Sandra Schilling and Board administrator, Julie Shankland also attended. Julie Shankland acted as secretary to the Board. Guests Deborah Feldman and Kristal Wiitala, BOG, attended in part.

MINUTES: The minutes were not approved. The December, January and February minutes will be considered at the April meeting.

REPORT ON BOG MEETING: The BOG is considering proposed rule allowing lawyers displaced by emergencies to practice in other states. The BOG would like input from a member of the POLB because this is a UPL issue. Brian Dano volunteered to serve on this committee.

BOARD MEMBERS: Mr. Ford has retired from the Board. The Board is working on an appropriate appreciation celebration for Mr. Ford's long time commitment to the POLB and the legal system. The Board is seeking nominations to fill this open non-lawyer position. May 1 is the deadline for applications.

ATJ CONFERENCE: We have scheduled a public hearing on the Friday morning of the ATJ Conference. We have a room reserved and a short notice will go out in the ATJ Conference materials.

DEBRA FELDMAN: Ms. Feldman is a consultant the Board is considering hiring to provide advice on quantitatively assessing results of the pilot project. Ms. Feldman indicated that she would like to work with a sub-committee to finalize the questions for the assessment. Ms. Feldman told the Board that this process usually takes one or two meetings and much of the work can be done by phone. Ms. Feldman stated that this process cannot begin until the practice area is chosen.

Ms. Wiitala indicated that she believes the BOG will want some kind of market data prior to the pilot project.

The Board discussed the need to decide soon whether the cost of this consultant is affordable and whether the Board wants to set up this sub-committee. The Board hopes to have the assessment questions finalized before October 2007. In further discussion, the Board decided it is too early to retain a consultant. Mr. Crossland will communicate this to Ms. Feldman.

SUB-COMMITTEE REPORTS:

FAMILY LAW: The committee tried to have a phone meeting, but the conference call did not work. The committee had separated into working groups, but now wants to have a joint meeting to decide whether treating these subjects separately is appropriate. The Sub-Committee plans to have a conference call next week in the morning.

Nancy Ivarinen reported that NW Justice Project and the Whatcom County Superior Court Administrator, NF Jackson submitted a Violence Against Women Act (VAWA) Grant Request to fund a program allowing paralegals to work in community clinics advising on parentage actions involving domestic violence victims. The paralegals will help fill out forms and provide legal advice under a lawyer's supervision.. Ms. Ivarinen is preparing a training manual for the program. Portions of this program might make a good model for the pilot project.

ELDER LAW: This sub-committee met on March 2. They are actively gathering information and developing resources. They are discussing specific forms and documents that might work well for a pilot project in this area. They have discussed small-estate affidavits, non-probate creditors claims, safety deposit box entry, some guardianships.

IMMIGRATION LAW: This sub-committee is still seeking a few lawyer members and plans to meet soon.

HOUSING LAW: This sub-committee looked at what self help materials exist now. The Clark County Library created and sells a "do it yourself" unlawful detainer kit. Skagit County Law library also sells these materials. The Committee believes a pilot project in this area would involve expanding the role of court house facilitators to providing legal advice on housing issues. They would be housed at the court house like the family law facilitators. Landlord or tenant could go in and find out if the notices were proper. This is a way to stop many problems with the current system. The committee is discussing the conflicts issues.

Hon Bastine reminded the Board that the courthouse facilitator committee was waiting for the results of the Legal Technician rule prior to taking further action on

courthouse facilitators. He offered to provide materials to anyone who needed those.

BOARD COMMUNICATION OF SUB-COMMITTEE WORK: The board is concerned about how to provide public access to the sub-committee discussions.

A motion was made, seconded and passed unanimously, to post the sub-committee minutes on the website. These minutes will not be approved by the Board, just posted for information with an appropriate disclaimer.

A second motion was made, seconded and passed unanimously to begin the POLB meetings with the sub-committee reports to make it easier for those attending the meetings by phone.

The Board entered Executive Session

A motion was made, seconded and passed unanimously to end the executive session and adjourn the meeting.