

**PRACTICE OF LAW BOARD  
STATE OF WASHINGTON**

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March 28, 2007

Frank Wallmuller

██████████  
Belfair, WA ██████████

RE: Complaint About the Unauthorized Practice of Law, File #06-13

Dear Mr. Wallmuller:

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 individuals in Washington allegedly engaging in the unauthorized practice of law. 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.

J██████ R██████ alleged that you engaged in the unauthorized practice of law by drafting legal documents and giving legal advice to M██████ S██████ in an eviction action. Mr. R██████ enclosed copies of the following legal documents: *Answer to Eviction Complaint, Affidavit of Frank A. Wallmuller In Support of M██████ S██████'s Answer To Eviction Complaint; Motion for Transcript of Hearing Held on December 30, 2005 @ 9:30 AM; Motion For Enlargement of Time; Affidavit of M██████ S██████ In Support of Motion For Enlargement of Time; and Supplemental Affidavit of Frank A. Wallmuller In Support of M██████ S██████'s Answer To Eviction Complaint.*

Ms. S██████ is a former tenant of an apartment building owned by ██████████ Corporation. Mr. R██████ is the Secretary and Treasurer of ██████████ Corporation. In 2005, Ms. S██████ became deficient in her rent and ██████████ began an unlawful detainer action by serving Ms. S██████ with an Eviction Summons and Complaint. According to Mr. R██████, after Ms. S██████ filed her responsive legal documents, you called and told him that he could not evict Ms. S██████. Mr. R██████ states that, during that phone call, you told him that you drafted Ms. S██████'s pleadings.

In your December 27, 2005 affidavit, you swear "I prepared the ANSWER TO EVICTION COMPLAINT on behalf of Ms. M██████ S██████..."

In your February 17, 2006, letter to the Practice of Law Board, you state that you meant "...I typed up the document(s)/pleading(s) signed and dated by M■■■■ S■■■■..." Although you deny having drafted Ms. S■■■■'s legal documents, the style and format between your affidavit and that of Ms. S■■■■ are found to be almost identical. For example, both affidavits contain similar legal phrases, such as ending with: "Further your affiant sayeth naught." The Board finds the available evidence establishes you did draft Ms. S■■■■'s responsive legal documents.

In your December 27, 2005, affidavit, you also indicate that you advised Ms. S■■■■ in how to proceed in answering the Eviction Summons and Complaint: "I read the papers with Ms. S■■■■'s permission then explained to her that she was required to prepare a written ANSWER/RESPONSE to the documents...I suggested to her that whomever tried to serve them did NOT properly do so."

You are not a lawyer. RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself out as entitled to do so constitutes the unauthorized practice of law. The Washington court has been clear that the selection and completion of legal documents constitutes the practice of law. *State v. Hunt*, 75 Wash.App. 795, 880 P.2d 96 (1994). Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others is also included in the GR 24 Definition of the Practice of 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:

- ◆ Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for a fee or other consideration;
- ◆ Holding yourself out as authorized to select, draft or complete legal documents or pleadings for others;
- ◆ Any activity which is defined as the practice of law in GR 24.

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.

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,

A handwritten signature in black ink, appearing to read 'Steve Crossland', written in a cursive style.

Steve Crossland, Chair  
Practice of Law Board

JS:as

cc: [REDACTED] Corporation