

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

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June 26, 2009

Susan P. Baker
West Seattle Administrative &
Paralegal Services
[REDACTED]
Seattle, WA [REDACTED]

RE: File No. 08-26 Unauthorized Practice of Law
Complaint against Susan Baker

Dear Ms. Baker:

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, J [REDACTED] G [REDACTED], a special investigator with [REDACTED] insurance, has filed a complaint against you and your business, West Seattle Administrative & Paralegal Services, alleging that you engaged in the unauthorized practice of law when you attempted to settle an insurance claim for M [REDACTED] A [REDACTED] with [REDACTED] insurance. According to the complaint, Mr. A [REDACTED] is a claimant who was involved in a rear-end collision in February 2008 with an insured of [REDACTED] insurance. In March 2008, [REDACTED] insurance received a letter from you stating that you were appearing as "Mr. A [REDACTED]'s Attorney-in-Fact" and enclosing a Durable Power of Attorney. In May 2008 you wrote [REDACTED] insurance a demand letter seeking \$36,896 for general damages and \$20,000 for physical and emotional pain and suffering. The letter also included a statement of services rendered, which listed "legal fees and misc. costs" of \$1,540 and cited various statutes

from the Revised Code of Washington regarding accident liability. You signed the letter as “Attorney-in-Fact for M [REDACTED] A [REDACTED].” In July 2008, you sent [REDACTED] insurance another letter rejecting their settlement offer and seeking \$16,700 for general damages and \$20,000 for pain and suffering. According to Ms. G [REDACTED], you also attempted to verbally negotiate with her regarding the Mr. A [REDACTED]’s settlement.

During the November 2008 interview, you stated to our investigator that you also assisted Mr. A [REDACTED] with an immigration matter. Mr. A [REDACTED] was involved in a hearing regarding the release of a bond against him. You had Mr. A [REDACTED] sign a power of attorney in order for you to look at the bond and you later appeared with him at the arbitration. You also admitted to drafting the demand letters.

You are not a lawyer. RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself or herself out as entitled to do so constitutes the unauthorized practice of law. Washington’s Court Rule GR 24 states that the definition of the practice of law includes, but is not limited to:

- (1) Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration.
- (2) Selection, drafting, or completion of legal documents or agreements which affect the legal rights of an entity or person(s).
- (3) Representation of 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.
- (4) Negotiation of legal rights or responsibilities on behalf of another entity or person(s).

By submitting settlement demand letters to [REDACTED] insurance, including statements of “legal fees and misc.,” and trying to negotiate Mr. A [REDACTED]’s settlement with J [REDACTED] G [REDACTED], you were engaging in the unauthorized practice of law. By selecting and drafting legal documents for Mr. A [REDACTED], such as the Powers of Attorney designating you as Mr. A [REDACTED]’s attorney-in-fact, you were engaging in the unauthorized practice of law. Please be aware that the ability to represent oneself pro se cannot be transferred.¹

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:

¹ *State v. Hunt*, 75 Wash.App. 795, 880 P.2d 96 (1994).

- Holding yourself out as authorized to select, draft or complete legal documents or pleadings for others;
- Selecting, drafting, or completing legal documents or agreements which affect the legal rights of entities or person(s);
- Any activity which is defined as the practice of law in GR 24.

The Board has also ordered to refer the investigation of this matter and information from the earlier matter, for which you signed an agreement to refrain from engaging in the unauthorized practice of law, to the County Prosecutor's Office. If you disagree with the 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 Board 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).

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

Enclosure: Agreement to Refrain

cc: J [REDACTED] G [REDACTED] (w/out enclosure)