

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

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

December 30, 2009

Members

Nancy C. Ivarinen
Chairperson
Bellingham

Allen C. Hamley

Bellevue, WA

Thomas Andrews
Vice-Chairperson
Seattle

RE: File No. 09-19 Unauthorized Practice of Law
Complaint against Allen C. Hamley

Margaret Bridewell
Richland

Dear Mr. Hamley:

Brian J. Dano
Moses Lake

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.

Gail Hammer
Spokane

Cheryl D. Kringle
Seattle

Crystal Lambert
Vancouver

Daniel Pérez
Seattle

Priscilla A. Selden
Entiat

Renée Shadel
Seattle

Hon. Jane M. Smith
Nespelem

As you are aware, C [REDACTED] K [REDACTED] has filed a complaint against you alleging that you engaged in the unauthorized practice of law by giving legal advice, drafting estate planning documents, and billing her and her family \$600. On February 7, 2009, you met with C [REDACTED] K [REDACTED], her husband, her sister, and their mother, P [REDACTED] K [REDACTED], at P [REDACTED]'s home to discuss updating and making changes to P [REDACTED]'s will. You did not inform Ms. K [REDACTED] or her family that you had been disbarred on July 9, 2008. You recommended to Ms. K [REDACTED] and her family, new trust documents and discussed the tax implications of P [REDACTED] K [REDACTED]'s death. At the February 7, 2009 meeting, you told Ms. K [REDACTED] and her family that you would charge \$600 for drafting the various estate planning documents. On February 17, 2009, you delivered to Ms. K [REDACTED] estate planning documents that you had drafted, which include a Quit Claim Deed, a Living Trust, and a Last Will and Testament of P [REDACTED] L. K [REDACTED].

Administrator
Julie Shankland

Investigative Attorney
Sandra Schilling

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. Giving legal advice and drafting legal documents are 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:

- Holding yourself out as authorized to give advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration;
- Selecting, drafting or completing legal documents or pleadings for others; and
- Any activity which is defined as the practice of law in GR 24.

The Practice of Law Board has also ordered to refer the investigation of this matter 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 State 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 Board. Your Notice must set out your 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 that reads "Nancy Ivarinen". The signature is written in a cursive style with a large, looped initial "N".

Nancy Ivarinen, Chair
Practice of Law Board

JS:as

Enclosure: Agreement to Refrain

Cc: C [REDACTED] L. K [REDACTED] (w/out enclosure)