

WASHINGTON STATE BAR ASSOCIATION

Regulatory Services Department

Chief Regulatory Counsel and Department Director, Renata de Carvalho Garcia

Ph: (206) 733-5912; Fax: (206) 727-8313; renatag@wsba.org

Department Overview

The WSBA, and in large part, the Regulatory Services Department (RSD), is responsible for administering the licensing of individuals to practice law and monitoring compliance with ongoing licensing requirements for all licensed legal professionals in Washington, on behalf of and under rules adopted by the Washington Supreme Court.

Functions

Admissions - Review and process all applications for admission and licensure; administer the bar exam; coordinate bar exam grading sessions with the Board of Bar Examiners; conduct Character and Fitness reviews and hearings; transmit records to the Supreme Court for entry of admission/licensing orders.

Entity Regulation Pilot Project - Receive and review applications; make recommendations to the Practice of Law Board; transmit records to the Supreme Court for review of applications and entry of orders; monitor compliance; process complaints and, in conjunction with the Office of Disciplinary Counsel, engage in enforcement measures.

Law Clerk Program - Receive and review applications; monitor compliance with program requirements, including entering and maintaining records of clerk participation; maintain records of required course topics and approved reading materials.

Licensing - Oversee all aspects of the annual license renewal process; send reminder notices and pre-suspension notices; process suspensions for failure to comply with licensing requirements; transmit information to the court for entry of suspension orders; process requests for exemptions and waivers.

Limited License Legal Technician License - Provide administrative support to the LLLT Board to propose changes to rules and regulations; process grievances and (in conjunction with the Office of Disciplinary Counsel) administer the LLLT discipline process.

Limited Practice Officer License - Process grievances and (in conjunction with the Office of Disciplinary Counsel) LPO discipline process; provide administrative support to Limited Practice Board including preparation of the twice yearly LPO exam.

Mandatory Continuing Legal Education - Review and process applications for accreditation; audit courses for accreditation compliance; monitor compliance requirements; send pre-suspension notices and process suspensions for MCLE non-compliance; process requests for waivers and extensions.

Membership/Systems - Enter, maintain, and ensure the accuracy of information in the membership database; process mailing list orders; identify congressional districts for WSBA voting purposes; issue bar cards to licensed legal professionals; provide weekly database updates to the Supreme Court.

Status Changes - Receive, review, and process all applications for status changes; enter, maintain, and update accurate records regarding license status; respond to all inquiries about status changes; provide records to the Supreme Court for entry of appropriate orders regarding status changes.

Regulatory Boards

1. Board of Bar Examiners - grades the written essay and performance portions of the Uniform Bar Exam; prepares and updates Washington Law Component materials and exam.
2. Law Clerk Board - develops law clerk program policies, interviews applicants, law clerks and tutors, and monitors law clerks' progress and program compliance.
3. Limited License Legal Technician Board - recommends policy and rule changes to the Supreme Court, develops and approves forms for use by LLLTs, and plays a role in the LLLT discipline system.
4. Limited Practice Board - recommends policy and rule changes to the Supreme Court, works with exam writing experts to write and grade the LPO practice area examination, develops and approves forms for use by LPOs, and plays a role in the LPO discipline system.
5. MCLE Board - oversees MCLE compliance and accreditation of activities, sets policies, reviews issues related to accreditation of CLE activities and requests for waivers of requirements, and conducts hearings into such matters when required.
6. Practice of Law Board - educates the public about how to receive competent legal assistance; recommends new avenues for the provision legal and law-related services; receives complaints that allege the unauthorized practice of law; collaborates with the WSBA in overseeing the administration of the Entity Regulation Pilot Project.

When will you hear from RSD at BOG meetings?

- Rules or regulations that apply to any of the above-named functions or Boards need to be amended
- Recommendations are made for a change in the fees for the functions above
- Recommendations are made for changes to membership types, statuses, or licensing requirements
- Recommendations made by the Law Clerk Board for termination of participation in the program, or appeals of other decisions made by the Law Clerk Board
- Appeals to the BOG under APR 2

What don't you need to be concerned about?/What should you pass on to RSD or to Renata?

- Whether applicants pass or fail any specific admissions exam – the BOG is not involved in preparing, reviewing, or scoring exams
- Whether applicants can establish good moral character and fitness to practice – the Supreme Court makes this determination
- Whether members should be suspended for non-compliance of some type – the Supreme Court makes the final determination regarding license suspensions

When do Renata or other RSD staff communicate directly with the Supreme Court?

- Recommendations for admission, licensing, and membership changes
- Reviews and appeals from Character and Fitness hearings
- Annual meetings and reports of the supreme court boards with the Supreme Court
- Data transfers to AOC from WSBA membership database, and issues relating to corrections of information in the WSBA or Court member database
- Issues relating to administrative processes tied to the above, including administrative suspensions and terminations of limited licenses