

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD
Meeting Minutes for January 18, 2018

Washington State Bar Association
1325 Fourth Avenue – Suite 600
Seattle, Washington 98101
1:00 p.m. to 4:00 p.m.

LLLT Board Members in Attendance:

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| <input checked="" type="checkbox"/> Stephen Crossland – LLLT Board Chair | <input checked="" type="checkbox"/> Nancy Ivarinen |
| <input checked="" type="checkbox"/> Sarah Bove | <input type="checkbox"/> Andrea Jarmon |
| <input checked="" type="checkbox"/> Brenda Cothary (Remote) | <input checked="" type="checkbox"/> Genevieve Mann (Remote) |
| <input checked="" type="checkbox"/> Greg Dallaire | <input checked="" type="checkbox"/> Ruth McIntyre |
| <input checked="" type="checkbox"/> Jeanne Dawes (Remote) | <input checked="" type="checkbox"/> Jennifer Petersen |
| <input checked="" type="checkbox"/> Stephanie Delaney | <input checked="" type="checkbox"/> Amy Riedel |
| <input checked="" type="checkbox"/> Lynn Fleischbein (Remote) | <input type="checkbox"/> Kendra Hodgson – Ex Officio |
| <input checked="" type="checkbox"/> Gail Hammer (Remote) | |

Staff and Others in Attendance:

Christy Carpenter (LLLT #113), Barbara Esselstrom (LLLT #105), Bobby Henry (RSD Associate Director), Jennifer Ortega (LLLT #118), Anne Seidel, and Joe Terrenzio (LLLT Program Lead).

Call to Order/Preliminary Matters

The meeting was called to order at 1:03 pm.

• **Outreach Update**

Outreach updates were provided. Christy Carpenter and Jean McElroy will present to NALS in February. Sarah Bove reported presenting to Island County and will write a letter the County to support its efforts to include LLLTs. Barbara Esselstrom, Jennifer Ortega, and Sarah Bove reported having presented on LLLTs in Spokane. Jennifer Petersen reported that Skagit County is very receptive to LLLTs.

Steve Crossland mentioned an article in the Seattle Times about community colleges and the importance of outreach to community college programs. Ruth McIntyre recommended approaching the Bench-Bar-Press Committee. The LLLT Board and staff will be working with the WSBA Communications and Outreach Department to develop an outreach plan.



- **Approval of Meeting Minutes**

The December 2017 meeting minutes were approved.

LLLT Board Retreat & Meeting with Court

Steve Crossland proposed the Board having a retreat this fiscal year and invited the Board to comment on the utility and benefits of such a meeting. The Board broadly approved of the idea and Steve will follow up with WSBA staff to determine what resources are available to implement a retreat.

Additionally, the Board has historically met with the full Supreme Court once per year. For 2018, the Court has stated it is available April 4 or 5 (preferred) or May 2. The Board agrees April 4th or 5th will work and will leave it to the Court to decide.

Presentation from Anne Seidel

Anne Seidel from the Committee on Professional Ethics presented concerns the CPE has regarding the language in the Rules on Professional Conduct stating that LLLTs can sign checks for trust accounts at firms that have lawyers and LLLTs, and the language stating that any check that a LLLT in such a firm signs also needs to also be signed by a lawyer.

The Board discussed the issues that are presented under the LLLT RPCs, the RPCs for lawyers, the LLLT scope of practice concerns, and the practical difficulties these rules create in law offices that have both lawyers and LLLTs.

The Board will invite Doug Ende to attend its February 15th meeting to continue this discussion.

New Practice Area - Consumer, Money, and Debt Workgroup Report

Nancy Ivarinen presented an overview of a suggested new practice area potentially titled Consumer, Money, and Debt. At its meeting prior to the Board meeting, the subcommittee reviewed and added further detail to the summary that was provided in the meeting materials. Nancy reviewed the kinds of matters that are included in the practice area and the various limitations planned to keep the practice area focused on low to moderate income clients, for example LLLTs only being able to do affirmative collection work for the original creditor.

The provided summary and outline will be updated to incorporate the additions mentioned. Nancy requests the Board review and approve this new practice area so that it can be circulated for comments.

Greg Dallaire suggested sending a letter to the Court providing notice that this suggested practice area will be circulated for comments before the Board opens the idea up for comments.



The Board agreed to give the Court notice. Nancy Ivarinen and Ruth McIntyre will work to revise the draft suggested new practice area.

Family Law Exam Committee Report

Nancy Ivarinen reported that the Family Law Exam Committee met and the exam materials for the February 26, 2018 exam are ready.

Discussion of philosophy behind setting LLLT license fee amounts

Steve Crossland reported on the philosophical discussion taking place regarding license fees - what should they be and should they be the same for different license types? One approach, which is the approach currently implemented at the WSBA, is to have many categories of licenses each with different fees. Another approach is to have one fee for all full licenses and one fee for all limited licenses.

The Board discussed the issues and by consensus agrees that two fees, one for full licenses and one for limited licenses is the best approach. For both full and limited licenses, the fee should be reduced for new licensees.

Discussion of philosophy behind assessments for Client Protection Fund

Steve Crossland reported on the philosophical discussion of whether LLLTs should pay an additional assessment to the Client Protection Fund. Lawyers currently pay \$30 per license year. Currently, CPF funds are available to clients of LLLTs but LLLTs do not pay into the fund. The Board discussed the issue and agreed that LLLTs should pay the same CPF assessment that lawyers do.

Coordinated Regulatory System Discussion

Bobby Henry reported on continuing efforts to implement the coordinated admissions and licensing system for all license types. Proposed amendments to the WSBA Bylaws to further implement some remaining changes necessary for coordination are before the Board of Governors for first reading at the BOG's January 18 & 19 meeting. The proposed amendments, if adopted, would apply the reduced new admittee license fees to newly licensed LLLTs and LPOs. In addition, they would establish the same procedures and similar course requirements for all members who have been inactive or suspended for more than six years when returning to active status.

The LLLT Board supports the ongoing efforts for the coordinated admissions and licensing system.



LLLT RPC Discussion

Greg Dallaire moved to approve the suggested amendments to the RPC for lawyers. The motion was approved.

Adjournment and Next Meeting

The meeting was adjourned 2:47 pm. The next meeting will be held on February 15 at 1:00 pm.

