

LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD
Meeting Minutes for March 15, 2018

Washington State Bar Association
1325 Fourth Avenue – Suite 600
Seattle, Washington 98101

LLLT Board Members in Attendance:

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

Staff and Others in Attendance during some or all of the meeting:

Bobby Henry (RSD Associate Director), Jean McElroy (Chief Regulatory Counsel), Laura Sommer (LLLT Lead Temp), Doug Ende (Chief Disciplinary Counsel), Christy Carpenter (LLLT), Jennifer Ortega (LLLT), Geoffrey Revelle (ATJ Board Liaison)

Call to Order/Preliminary Matters

The meeting was called to order at 1:00 p.m. and the February meeting minutes were approved.

Outreach Update

WSBA staff have been invited to attend Showalter Middle School's Career Day (in Tukwila), on Thursday, March 22, 2018, from 10 a.m. – 1:30 p.m. Sarah Bove has volunteered to go with staff.

Winter 2018 LLLT Examination Report

An update was given regarding the Winter LLLT Examination.



Board Retreat in June

The Board will meet in Wenatchee at the Coast Wenatchee Center Hotel on Saturday, June 23, 2018 through Sunday, June 24, 2018. They will begin at 11 a.m. on Saturday through lunch on Sunday.

UW Site Team Meeting

The meeting is scheduled for March 26 – 27, 2018. A tentative agenda has been prepared. After the review, an official recommendation will be presented to the Board. The recommendation probably won't be ready for the April Board meeting, but will probably be an action item for the May meeting.

Report to the Supreme Court – April 4, 2018

The Board discussed preparing for the meeting with the Court in early April. Steve suggested that we have a conference call to discuss the preliminary report to the Court.

The Board will meet in advance of the meeting with the justices (at noon before 1 pm meeting with court).

The Board discussed what they are going to say to the Supreme Court. The new practice area committee wants the report to reflect how much work they have put into the new practice area. The report should be modified in some way, such as adding a watermark, or noting that it is a work in progress, and adding that the Board is doing what the Court has asked them to do.

Nancy suggested adding “proposed” actions and “proposed” limitations. They want comments to help craft into the final version. Add a paragraph that indicates how they plan to proceed and describe the process.

After the plan is finalized they will send out to the sections and the general legal community for comments; there will be 60 days to comment, then rework and give to the Board to submit to the Court. Once it comes back from Court, then the curriculum will be developed.

Sometime in the fall the board will be looking at the proposal from above.

New Practice Area Report

There was a motion to approve the work of the New Practice Area (subject to edits from the staff) and to send their report out to the sections and the general legal community for comment. The document will be circulated throughout the organized bar and relevant stakeholders for comment. MOTION PASSES



The next New Practice Area will be School and Work. This will include areas such as special education, hearings, unemployment compensation. The work is coming together nicely. This area may end up being two separate areas.

The Board is also compiling a list of possible ideas for future LLLT practice areas. These ideas will be refined after the work and school area is complete.

Report from Jean about the Bylaws

WSBA amended the bylaws in Sept. 2016 to include a position on the WSBA Board of Governors (BOG) for a LLLT or LPO and two positions for unlicensed people (community members). The Supreme Court needed to enter an order to authorize the increased size of the Board of Governors. In January, the Supreme Court entered an order approving the Bylaws and authorizing the size of BOG to increase to a max of 18 governors and adding these three positions.

The BOG discussed how the new positions were to be filled. Currently, they may be treated as vacant seats, and there is not a clear approach as to when to bring the new governors on. Some governors have drafted amendments that would eliminate the three new seats on the BOG and would permit LLLTs and LPOs to run for the congressional seats. There is a Special meeting Monday, March 19, 2018, at 3:30 p.m., which is an open public meeting. They will be discussing amendments and the process for bringing on the three new seats. There is a notice on the WSBA website.

Discussion of RPC 1.15(a)(h)(9) – Trust Account Signatory

Doug Ende discussed trust account signatory permissions when a LLLT is working for a law firm. Only a lawyer or LLLT can be an authorized signer on the trust account. If both the lawyer and LLLT are in business together then the lawyer must sign all checks. The provision was created so that lawyers in law firms with LLLTs would be responsible for client funds and to relieve the responsibility from the LLLT. Some members of the board expressed concerns about a LLLT's ethical responsibilities possibly being thwarted by a lawyer's delay in action or failure to act. A motion to reconsider the trust account signatory issue was presented. Seven were for, four were opposed. Motion passed.

The Board appointed a committee to look at the issue and bring strategies to the board. Jeanne Dawes will Chair the committee. Sarah Bove and Andrea Jarmon will also be on the committee. They will report at the next meeting (April 19, 2018).

Bylaw update (license fees)

At the last BOG meeting, the BOG took action to bring the WSBA bylaws in line with the APRs, and to bring some aspects of assessments of LLLT and LPO license fees in line with how those assessments currently occur with lawyers. The LLLTs now get a reduced license fee in the year



in which they are admitted; additionally, they will have a reduced license fee for the first two full years after admission (1/2 fee). In addition, the requirements for returning to active status from inactive or suspended are now very similar to those required of lawyers.

Board Nominations

Christy Carpenter and Catherine Brown were nominated to become members of the LLLT Board beginning October 1, 2018. Glenn Bristow was nominated to begin upon appointment by the Court. Joanne Watson was named an alternate, and the Board is interested in inviting her to participate in some of the Committee work. The Board also nominated Amy Reidel and Steve Crossland, as Chair, to serve another term.

Adjournment and Next Meeting

The meeting was adjourned at 3:35 pm. The next meeting will be held on April 19, 2018, at 1:00 p.m.

