

## LIMITED LICENSE LEGAL TECHNICIAN (LLLT) BOARD

**UPDATE: April 2018**

Outreach & Press
<p>Press:</p> <ul style="list-style-type: none"><li>March 21, 2018: <a href="#">Wilson Bill in Support of DV Victims Signed into Practice</a></li><li>March 23, 2018: <a href="#">Paralegals in Family Law</a></li><li>March 28, 2018: <a href="#">LLLT Exam Results</a></li><li>March 29, 2018: <a href="#">Legal Technician Profession Gains Interest</a></li><li>April 13, 2018: <a href="#">Legal Technicians Belong in Courtrooms</a></li></ul> <p>Recent Events:</p> <ul style="list-style-type: none"><li>April 2018: Spokane County Public Schools Career Day. Barbara Esselstrom.</li><li>April 19, 2018: NALS CLE: Sarah Bove, Christy Carpenter and Renata Garcia</li><li>April 19-22: NCBE Presentation in Philadelphia. Steve Crossland.</li><li>April 28, 2018: Washington State Paralegal Association. Jennifer Ortega and Michelle Cummings.</li></ul> <p>Upcoming Events:</p> <ul style="list-style-type: none"><li>TBD: KCBA LLLT Clinic Training</li><li>June 2018: Spokane Women's Health Expo. Barbara Esselstrom.</li><li>October 25, 2018: NFPA Annual Convention. Steve Crossland &amp; Paula Littlewood.</li></ul>
Statistics & Other Events
<ul style="list-style-type: none"><li>Number of current LLLTs: 36</li><li>3 LLLTs are inactive</li><li>Summer Exam: July 23, 2018</li></ul>
Meetings
<p>Recent:</p> <ul style="list-style-type: none"><li>March 22, 2018: Showalter Middle School Career Fair, Tukwila, Washington</li><li>March 26-27, 2018: UW Site Visit</li><li>April 4, 2018: Supreme Court Meeting</li></ul> <p>Upcoming:</p> <ul style="list-style-type: none"><li>June 23-24, 2018: LLLT Board Retreat in Wenatchee, Washington</li></ul>



**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:**

- |  |   |
|--|---|
| <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 - 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.



**PROPOSED 2018-2019 LLLT BOARD MEETING SCHEDULE**

The 2018-2019 LLLT Board meeting schedule needs to be approved by the Board so that attendees have sufficient time to plan and make travel arrangements. Staff also needs to be able to reserve conference rooms in advance and post the meeting schedule on the WSBA website.

**Meeting Schedule for the remaining 2017-2018 term:**

Meeting Date
May 10, 2018
June 23 – 24, 2018
July 19, 2018 – cancel?
August 16, 2018
September 20, 2018

**Proposed Meeting Schedule for the 2018-2019 term:**

Meeting Date
October 18, 2018
November 8, 2018
December 20, 2018
January 10, 2019
February 21, 2019
March 21, 2019
April 18, 2019
May 9, 2019
June 20, 2019
July 18, 2019
August 15, 2019
September 19, 2019



## MEMORANDUM

**To:** LLLT Board  
**From:** LLLT Core Curriculum Site Review Team  
**Date:** May 4, 2018  
**Re:** Recommendation to Approve the Offering of LLLT Core Curriculum by the University of Washington Continuum College (UWCC) Paralegal Studies Program

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### **Recommendation of Approval UWCC Paralegal Studies Program**

The LLLT Core Curriculum Site Review Team (Site Team) recommends approving the teaching of LLLT Core Curriculum by the UWCC Paralegal Studies Program. The Site Team further recommends a follow-up visit to the UWCC Paralegal Studies Program within approximately one year of the receipt of LLLT Board approval (see below).

### **The Site Team**

The Site Team was made up of the following members:

- William Covington, senior lecturer, University of Washington School of Law;
- Stephanie Delaney, Dean of Academic Programs at South Seattle College, LLLT Board member;
- Kendra Hodgson, Policy Associate at the Washington State Board for Community and Technical Colleges, ex officio LLLT Board member; and
- Andrea Jarmon, Attorney at Law & Instructor at Green River Community College, LLLT Board member.

### **The Site Visit**

The Site Team visited the UWCC Paralegal Studies Program on March 27 and 28, 2018. Team members met with:

- Ben Starsky, Program Manager;
- Malia Morrison and Erik Bansleben, Program Administration;
- Jan Kinney; Curriculum Development;
- Laura Swartley, Online Content Manager;
- Judi Maier, Bruce Wiener, Steven Zwerin and Hina Arai, Faculty Members;
- Members of the UWCC Paralegal Studies Program Advisory Committee; and
- 12-15 Students.



The Site Team sincerely thanks the UWCC, the UWCC Paralegal Studies Program; its administrators, staff, faculty and students for taking time from busy schedules to meet, answer questions and share experiences. The Site Team also wishes to thank all who through their efforts help craft and create this program.

### **Conclusions**

The Site Team found that the UWCC Paralegal Studies Program meets all requirements of the Washington LLLT Educational Program Approval Standards developed by and approved by the LLLT Board.

### **Cautionary Note and Supplemental Recommendation**

The UWCC Paralegal Studies Program is being recast to incorporate the LLLT Core Curriculum; that is, in many ways, the existing program is being transformed. The Site Team would like to follow the progress of this transformation and potentially conduct another site visit in approximately one year. In its monitoring and potential follow-up visit, the Site Team wishes to especially focus on the UWCC Paralegal Studies Program continuing compliance with the following LLLT Board Educational Program Approval Standards:

- 1. ADVISORY COMMITTEE (S2-2):** *An Advisory Committee must meet at least twice annually.* Since the Advisory Committee was not active in the past and has recently been reconstituted, the Site Team would like to receive minutes of future meetings (at least two) to ensure sufficient program guidance and oversight is being provided.
- 2. PROGRAM DESIGN (S3-4 and S3-7):** *The Program must engage in regular, structured, and documented assessments of how well the Program is meeting its stated goals.* Considering the UWCC Paralegal Studies Program is still undergoing redevelopment changes, the Site Team requests a letter or letters of confirmation of full implementation of the redesigned curriculum. The Site Team would like the option of requesting and having a meeting with adjunct faculty and a demonstration of online courses.
- 3. FACULTY (S4-2):** *Instructors must meet at least twice annually with 100% attendance.* The Site Team would like to receive minutes of at least one future meeting reflecting the substance of the discussions and the names of those in attendance.
- 4. LIBRARY AND LEGAL RESOURCES (S6-1 and S6-2) and FACILITIES (S7-1 and S7-2):** *The Program must provide to all program students, either electronically or through access to a library, current resources that are relevant to and adequate for the courses being taught. The classrooms, offices, library, computer labs, and other facilities of the Program must accommodate and support a variety of teaching methods and learning*

*activities and provide for adequate study space.* The Site Team toured the UW Gallagher Law Library and discovered that certain study areas in the library are reserved to law students. While students in the UWCC Paralegal Studies Program have access to all other general student study areas on campus, it is unclear how accessible and convenient those areas are. Therefore, the Site Team would like to request a description of alternative study areas available to UWCC Paralegal Studies Program students. Regarding adequate office space available to faculty and for private faculty-student consultation, the site team did not have the opportunity to tour office spaces and would like to do so at the next site visit.

Aside from the follow up items listed above, the Site Team would like to offer the following recommendations that do not impact the Site Team's decision but are intended to further enhance UW's achievement of the Standards:

- **Enrich enrollment coaches' knowledge of the program to ensure proper advisement.** The Site Team recommends that UWCC increases the amount of information the enrollment coaches have available to provide to prospective students.
- **Augment and streamline information provided to potential students regarding access to services and facilities.** The Site Team recommends that UWCC informs Paralegal Studies Program students of all University of Washington student services and facilities that are, as well as those that are not, available to them.

## LLLT CORE CURRICULUM PROGRAM APPLICATION REVIEW REPORT

**NAME OF INSTITUTION:**

University of Washington Paralegal Studies  
4333 Brooklyn Ave NE, Box 359485  
Seattle, WA 98195

**DATE OF APPLICATION SUBMISSION:**

June 13, 2017

**PROGRAM DIRECTOR/CONTACT INFO:**

J. Benjamin Starsky, Program Manager  
[Starsky@uw.edu](mailto:Starsky@uw.edu)

**APPLICATION TYPE & PROGRAM OPTION:**

☒ INITIAL ☐ RENEWAL  
☐ BA ☐ BS  
☐ 2Y CERTIFICATE  
☒ POST BAC CERTIFICATE

**DETERMINATION:**

X APPROVED  
☐ CONDITIONAL APPROVAL  
☐ DENIED

**SITE VISIT:** MARCH 26-27, 2018

**180 DAY DATE:** Suspended/waived in October 2017

**APPLICATION ACTION:**

X FORWARD TO LLLT BOARD  
☐ RETURN TO INSTITUTION

**APPLICATION REVIEW COMPLETED:**

May 2, 2018

**SITE TEAM:**

**Chair:** William Covington, Senior Lecturer and Director, Technology Law and Public Policy Clinic, University of Washington School of Law

Dr. Stephanie Delaney, Dean of Academic Programs at South Seattle College

Andrea Jarmon, Attorney at Law & Instructor at Green River Community College, LLLT Board member

Kendra Hodgson, Policy Associate at Washington State Board for Community and Technical Colleges

**Administrative Support:** Renata de Carvalho Garcia, Washington State Bar Association, Innovative Licensing Programs Manager



Summary of Review	
<p>The LLLT Board Site Team completed the review of University of Washington Continuum College Certificate in Paralegal Studies' application from June 2017-April 2018. The application review consisted of reading through the original application, additional submissions and all supporting materials submitted by UW. The review process also involved holding meetings to discuss the application, requesting more materials, conducting a two-day site visit, and reviewing the additional materials provided.</p> <p>After careful review and consideration, the LLLT Board Site Team recommends the approval of the University of Washington Continuum College Certificate in Paralegal Studies to offer the LLLT Core Curriculum.</p> <p>Individual documents were extracted from the UW Application, subsequent submission, and UW's website in order to illustrate that the Standards were met and are referenced as attachments to this document.</p>	

Section 2- Program Management	
<p><b>S2-1: The Program must have published, measurable goals related to the LLLT education that are assessed on a regular basis with changes made to the Program and curriculum as needed.</b></p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. See Program Goals (Attachment 1).</li> <li>2. See Program Assessment Plan (Attachment 2).</li> </ol>	Yes
<p><b>S2-2: An Advisory Committee must meet at least twice annually. The Advisory Committee is comprised of practicing lawyers from the public and private sector, practicing LLLTs from the public and private sector (if and when available), paralegals with civil practice experience, faculty, school administrators, at least one member of the public from the community the Program serves, and an LLLT student (optional). The Advisory Committee shall be responsible for:</b></p> <ol style="list-style-type: none"> <li>(a) assisting in selecting additional Advisory Committee members as needed;</li> <li>(b) advising regarding admission standards for students;</li> <li>(c) advising in selecting competent instructors;</li> <li>(d) informing the Program about changes and trends in the legal field;</li> <li>(e) assessing the job market and developing career opportunities for LLLTs and other legal professionals;</li> <li>(f) creating awareness of the Program; and</li> <li>(g) assessing the effectiveness of the Program in terms of meeting curriculum objectives, meeting the needs of the legal community, and evaluating graduate job placement and success.</li> </ol> <p><b>Minutes of the meetings must reflect the substance of discussion related to the Program and the names of those in attendance.</b></p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. See Letter from Mr. Starsky explaining that the Advisory Committee has been reconstituted under the guidelines required by the LLLT Application. An Advisory Committee meeting took place in the fall of 2017 (Attachment 3).</li> <li>2. See list of Advisory Board Members posted on the school's website (Attachment 4).</li> </ol> <p><b>* FOLLOW UP:</b> Since the Advisory Committee was not active in the past and has recently been reconstituted, the Site Team would like to receive minutes of future meetings (at least two) to ensure</p>	Yes*



sufficient program guidance and oversight is being provided.	
<b>S2-3: The institution must have, for both students and employees, a publicly-stated non-discrimination policy consistent with federal and state law and a policy for the accommodation of persons with disabilities. The Program or its parent institution must have in place a diversity and inclusion plan that promotes, ensures and encourages a safe and inclusive learning environment.</b>	
COMMENTS: 1. See UW's Vision and Values listing Diversity as one of their values: <a href="http://www.washington.edu/about/visionvalues/">http://www.washington.edu/about/visionvalues/</a> 2. Policies are published on the school website: <a href="https://www.pce.uw.edu/help/resources-policies/general-policies">https://www.pce.uw.edu/help/resources-policies/general-policies</a> 3. Disability Resources for Students: <a href="http://depts.washington.edu/uwdrs/">http://depts.washington.edu/uwdrs/</a> 4. Equal Opportunity and Affirmative Action documents are also located on the school website: <a href="https://ap.washington.edu/eoaa/">https://ap.washington.edu/eoaa/</a>	Yes

<b>Section 3- Program Design</b>	
<b>S3-1: Programs must be offered at the post-secondary level by law schools, four-year colleges or universities, two-year colleges, or technical/vocational schools. The institution offering the core education must be accredited by a regional accrediting agency that is recognized for higher education accreditation by the U.S. Department of Education or the Council for Higher Education Accreditation.</b>	
COMMENTS: 1. University of Washington is accredited by Northwest Commission on Colleges and Universities. 2. See reaccreditation letter dated January 27, 2014 (Attachment 5).	Yes
<b>S3-2: The institution must maintain a program that is designed to qualify its graduates to complete the LLLT requirements.</b>	
COMMENTS: 1. UW has modified its program curriculum in order to meet the LLLT requirements. See new course descriptions. (Attachment 6). 2. See Curriculum Crosswalk (Attachment 7). 3. See Program Design Proposal, April 11, 2017 (Attachment 8). 4. See 2018-2019 Program Snapshot (Attachment 9). 5. See Program Development Process for Certificates and Standalone Courses (Attachment 10).	N/A
<b>S3-3: The Program's curriculum must incorporate instructional methods that emphasize critical thinking, teamwork, information literacy, competent oral and written communication skills commensurate with those expected in the legal profession, technical skills, and development of the practical skills needed to work as LLLTs, paralegals, or other legal professionals in the legal community the Program serves.</b>	
COMMENTS: 1. The program curriculum lists very specific course learning objectives. See program curriculum with course descriptions and learning objectives (Attachment 6). 2. In addition, during the site visit, faculty emphasized that understanding concepts is not sufficient. Students must be able to demonstrate critical thinking, do, create, and critique what is being taught.	Yes

<p><b>S3-4: The Program must engage in regular, structured, and documented assessments of how well the Program is meeting its stated goals. The assessment plan must include:</b></p> <p>(1) the method by which students evaluate the faculty and the courses, which may include instructional materials and assessment methodology;</p> <p>(2) the method by which the Program assesses student and graduate satisfaction with the program;</p> <p>(3) graduates' perceptions of how well the Program prepared them for work as an entry-level LLLT or paralegal;</p> <p>(4) the frequency with which each type of assessment is conducted;</p> <p>(5) the date the assessment was last conducted;</p> <p>(6) a description of the analysis conducted of the assessment results;</p> <p>(7) a summary of actions taken in response to the assessment results; and</p> <p>(8) the method by which the results are shared with the faculty and Advisory Committee.</p> <p>The assessment may also include the employment community's satisfaction with the Program's graduates.</p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. See Program Assessment Plan (Attachment 2).</li> <li>2. See Program Survey, UW Alumni, June 2017 (Attachment 11).</li> <li>3. See Course Summary Reports (Attachment 12).</li> </ol>	Yes
<p><b>S3-5 Programs must:</b></p> <p>(a) require successful completion of the LLLT core education requirements as defined in APR 28;</p> <p>(b) require that LLLT core education courses balance theoretical teachings with practical, skills-based course content;</p> <p>(c) align the course content of each required LLLT core education course with the course content as established and published by the LLLT Board;</p> <p>(d) require successful completion of at least ten semester or 15 quarter credits of in classroom instruction; and</p> <p>(e) offer sufficient legal studies elective courses on subjects included in the LLLT core exam to meet the LLLT core education requirements.</p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. See Core Curriculum (Attachment 6).</li> <li>2. See assignments (Attachment 13).</li> <li>3. Classes are blended (classroom and online).</li> </ol>	Yes
<p><b>S3-6: Programs must have a written transfer policy for accepting any LLLT core education courses that will be substituted in lieu of LLLT core education courses otherwise required and taught by the Program. The policy must include criteria for accepting courses in transfer, procedures to protect the academic quality and integrity of the program, and must set limits on the number of LLLT core education courses that will be accepted in transfer. Limits are set by the institution. Credit is granted at the discretion of the Program Director.</b></p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. See Transfer Policy (Attachment 14).</li> </ol>	Yes

<p><b>S3-7: The LLLT Program director and faculty must design online and hybrid online courses taking into account the constraints imposed by online delivery to ensure that there is:</b></p> <p>(a) technical training on and orientation to any alternative learning systems provided to and required of faculty prior to their assignment as instructor for a course that uses such a system;</p> <p>(b) technical support available to students and faculty;</p> <p>(c) interaction between faculty members and students and among students;</p> <p>(d) a system to verify the identity of the student submitting work or taking an examination;</p> <p>(e) a determination of whether the online instruction meets the credit hour requirements of S3-8 based on a careful review of a detailed outline of the online activities for each online or hybrid online course, including hours allocated to each activity. Such online activities may include lectures, discussions, quizzes, diagnostic exercises, assignments and tests.</p> <p>(f) no dilution of the course objectives and outcomes for the purpose of allowing delivery by online means;</p> <p>(g) faculty accessibility to students through means appropriate for the online format to provide feedback promptly to students regarding their assignments and questions; and</p> <p>(h) assessment of the effectiveness of the online format.</p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. UW uses Canvas. The site team received a demonstration of the online learning platform.</li> <li>2. The program is shifting from text-driven to student interaction, including use of multimedia, in order to optimize learning. A new feature is the “competency-mapping” where students have access to the gradual mapping of competency reaching, grading methodology and multimedia which includes practice videos. The online classes are pre-recorded (not streamed live). The videos linked to learning objectives are appropriate in length (usually 5-10 minutes long).</li> <li>3. <b>* FOLLOW UP:</b> There appears to be a disconnect between curriculum designers recommendations and what faculty are doing. In addition, the Site Team was not able to get a walkthrough of the online courses as those have not yet been developed. Therefore, the Site Team would like to follow up on this item in about a year.</li> </ol>	Yes*

Section 4-Faculty	
<p><b>S4-1: The Director and instructors in the Program must possess education, knowledge, and experience about the LLLT or paralegal professions, the utilization of LLLTs or paralegals in the delivery of legal services, and be knowledgeable in the areas in which they are providing instruction. Until such time as there is sufficient LLLT experience to relate, instructors may instead rely on the legal profession in general.</b></p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. Resumes of faculty were provided and meet this requirement (Attachment 15).</li> </ol>	Yes
<p><b>S4-2: The Program instructors must meet at least twice annually with 100% attendance. Unless otherwise delegated, the agenda is set by the Program Director, who presides over the meeting. Meetings of the faculty must address issues beyond the area of program administration and class management to include such areas as program and course delivery modalities, teaching techniques and effectiveness, and learning outcome relevance and assessment. Minutes of the meetings must reflect the substance of the discussions and the names of those in attendance.</b></p>	

<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. The site team met with faculty who shared positive feedback and interest in such meetings.</li> <li>2. <b>* FOLLOW UP:</b> However, given that instructors have only had one meeting, the site team would like to follow up in approximately one year to ensure that faculty meetings are taking place on a regular basis.</li> </ol>	Yes*
<b>S4-3: Ultimate responsibility for, and authority over, a Program must be administered by a full-time faculty member or administrator of the institution.</b>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. The program is administered by Ben Starsky, Program Manager, UW Continuum College. See Ben Starsky's resume (Attachment 16).</li> </ol>	Yes
<b>S4-4 The Director of the Program must have adequate support, including budgetary and administrative support, to accomplish the goals and objectives of the Program.</b>	
<ol style="list-style-type: none"> <li>1. The site team met with several administrators and faculty who demonstrated strong support for the LLLT program.</li> <li>2. The Program has sponsorship by the University of Washington School of Law. See Memorandum of Understanding between UW Law School and UW Continuum College to seek sponsorship of the Certificate in Paralegal Studies (Attachment 17).</li> </ol>	Yes

Section 5-Program Services	
<b>S5-1: All program literature, material, and information whether oral, print, or electronic must:</b> <b>(a) identify that it is offered to prepare graduates for employment as LLLTs, paralegals, or other law-related occupations;</b> <b>(b) inform students and potential students that LLLTs may provide limited legal services directly to the public only as permitted under APR 28 and Appendix APR 28 Regulations; and</b> <b>(c) advertise truthfully, accurately and not mislead by statement or omission regarding any aspect of the Program, the LLLT profession, or job opportunities.</b>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. The program is pending approval. See screenshot of potential webpage redesign (Attachment 18).</li> </ol>	N/A
<b>S5-2: After having been endorsed, programs may advertise that they are endorsed by the LLLT Board to offer the LLLT core education.</b>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. The program is pending approval. See screenshot of potential webpage redesign establishing advertisement of LLLT Board endorsement (Attachment 18).</li> </ol>	N/A
<b>S5-3: Program has process by which it educates students and graduates about satisfying educational requirements and about employment opportunities</b>	

<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. UW's enrollment coaches work with prospective students through the application process. There are over 100 programs so the coaches are generally educated about the LLLT program.</li> </ol> <p>The process described to the review panel identified for almost all LLLT program specific detail the potential students are referred to Ben Starsky as the program manager.</p> <p>See "Hot Jobs: Paralegal" link on the webpage (Attachment 19).</p> <ol style="list-style-type: none"> <li>2. From the website: <i>"For more career tips and industry trends, visit the News &amp; Features section of our website, and subscribe to our email list. To learn more about UW Professional &amp; Continuing Education certificates, degrees and courses, explore your options or contact us."</i></li> </ol>	<p>Yes</p>
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Section 6- Library and Legal Resources	
<p><b>S6-1: The Program must provide to all program students, either electronically or through access to a library, current resources that are relevant to and adequate for the courses being taught. The Program can satisfy this Standard by providing student-specific accounts to an electronic research service.</b></p>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. UW provides access to Westlaw to students. Students also have access to the UW Gallagher Law Library as well as other UW libraries.</li> </ol>	<p>Yes</p>
<p><b>S6-2: At a minimum, the Program must provide access to:</b></p> <ol style="list-style-type: none"> <li>(a) The Revised Code of Washington, the Washington Administrative Code, and Washington Court Rules;</li> <li>(b) The reporter(s) for the Washington state appellate courts or the Pacific reporter along with Washington Practice and other corresponding digests and resources to validate those sources;</li> <li>(c) A current legal encyclopedia and current legal dictionary;</li> <li>(d) Texts, practice manuals and/or form books appropriate to each LLLT course;</li> <li>(e) Resources and legal materials about developments and current issues in the LLLT and paralegal professions;</li> <li>(f) Relevant federal materials such as the United States Code and federal case law and reporters; and</li> <li>(g) A citator resource to check on the currency and validity of primary source materials for Federal and Washington State law.</li> </ol>	
<p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. Students have access to electronic and hard copies of materials in the law library. Gallagher Law Library has computer labs for online material and resource access. The library is staffed during all open hours and students have access to a librarian through a 24 hour "Ask Us" service at no</li> </ol>	<p>Yes*</p>

additional cost to students.	
2. <b>* FOLLOW UP:</b> However, students do not have access to certain study areas in the library that are reserved to law students. The Site Team would like to follow up on this and inquire about alternatives.	

Section 7-Facilities	
<b>S7-1: The classrooms, offices, library, computer labs, and other facilities of the Program must accommodate and support a variety of teaching methods and learning activities and provide for adequate study space.</b>	
COMMENTS: 1. The site team toured the UW Gallagher Law Library. Although study rooms at the UW Gallagher Law Library are reserved for law students, students in the program have access to all other general student study areas on campus.	Yes
<b>S7-2 Adequate office space must be supplied to faculty for the purposes of discharging required work. In addition, space must be made available for private faculty-student consultation.</b>	
1. The site team did not tour office spaces. It appears that much of the student-faculty interaction occurs via email or after class.	

Section 8-Implementation, Amendment, and Review	
<b>S8-3: Application fee submitted</b>	
COMMENTS: 1. Application fee of \$2,500 submitted with application.	
<b>S8-4: Applying parties are expected to provide all required application information in as clear and complete a manner as possible. The Board or its delegate will provide regularly scheduled informational meetings. At these meetings the parties may discuss what is needed in the application and supporting materials, preferred format, timeframe for submissions and any other matters the parties deem relevant.</b>	
COMMENTS: 1. The Site Team requested more information in a letter from October 2017 as well as at the site meeting. UW timely provided supplemental information as requested. See letter dated October 30, 2017 (Attachment 20) and UW's response (Attachment 3).	Yes
<b>S8-5: The Board or its delegate may conduct a site visit or visits as part of the application and review process.</b>	
COMMENTS: 1. The Site Team visited UW on March 26-27, 2018. 2. See site visit schedule (Attachment 21).	Yes
<b>S8-9 An approved LLLT Program has an ongoing obligation to assure that it is in compliance with the Standards as adopted, including all amendments as they become effective and all interpretations as</b>	

<b>they become available on the LLLT website.</b>	
COMMENTS: 1. UW confirmed that it will remain in compliance in accordance with the standard above. See UW Application (Attachment 22).	Yes



# **ATTACHMENT 1**



CONTINUUM COLLEGE  
UNIVERSITY of WASHINGTON

## **Paralegal Studies Certificate**

### **Program Goals**

The primary goals of the UW Continuum College Paralegal Studies program are to:

1. Prepare high quality graduates for employment in the legal field as ethical paralegals, LLLTs and other occupations.
2. Familiarize students with fundamental concepts of substantive areas of law.
3. Engender student development of effective written, oral, communication, teamwork, critical thinking, computer proficiency and legal research skills.
4. Facilitate writing skills that are consistent with the standards of the legal profession, including the ability to communicate legal analysis and application through impeccably written correspondence, memoranda and pleadings.
5. Fully integrate legal theory, analysis and related practical applications.
6. Scaffold student ability to develop discovery plans, prepare cases for trial and capably assist in all courtroom proceedings.
7. Demonstrate how to manage practical ethical dilemmas commonly encountered as working paralegals, including how to avoid the unauthorized practice of law by non-lawyers while applying the rules of professional conduct to resolve them.
8. Prepare students to manage modern law offices via technology and robust time management skills.

## **ATTACHMENT 2**



**CONTINUUM COLLEGE**  
**UNIVERSITY of WASHINGTON**

## **Paralegal Studies Certificate**

### **Program Assessment Plan**

To meet the eight (8) goals listed, the Program has developed an Assessment Plan to ensure programmatic rigor and alignment of learning outcomes with the LLLT Core Educational Curriculum as well as market demand.

#### **Instructor Evaluations – Quarterly**

The program conducts end-of-course instructor evaluations each quarter to evaluate courses and the instructors. Information obtained is shared with the instructors, the Advisory Board and the UW School of Law to help the Program improve instructor performance and the student satisfaction. The Program Director addresses every student concern brought forward. Program instructors and the Advisory Board discuss any changes in the practice areas affected that warrant revision of curriculum or changing of assignments. Last conducted: June 2017.

#### **Exit Surveys – Upon Program Completion**

The Program surveys students around the time of program completion asking them to evaluate their level of preparedness for their job as a result of completing the Paralegal curriculum. This survey also asks students to share their perceptions of the Program courses, Program instructors and anything else they would like to share. Information obtained is shared with the instructors, the Advisory Board and the UW School of Law to help the Program improve instructor performance and the student satisfaction. The Program Director addresses every student concern brought forward. Program instructors and the Advisory Board discuss any changes in the practice areas affected that warrant revision of curriculum or changing of assignments. Last conducted: June 2017.

#### **Advisory Board – Twice Per Year**

The Program Director solicits participation in the Program's Advisory Board and maintains representation from a diverse group of practicing attorneys, paralegals, hiring managers in the legal field as well as other leaders in the profession. The current Advisory Board was reconstituted in the spring of 2017 from an older body that dates to the 1980s. The Advisory Board will be responsible for creating an ongoing program assessment process that includes (but is not limited to): reviewing teaching evaluations, student exit surveys and examining local, regional and national trends on relevant issues (employment, legal education practices, etc.). Based on the outcome(s) of this assessment process, the Advisory Board will make recommendations to the Program Manager and the UW School of Law for future revisions to the program curriculum and instructor team. Currently planned: August 2017.

#### **UW School of Law Sponsorship – Annually**

While the Dean of the UW School of Law and other representatives from the School of Law will be engaged in the Advisory Board, the Program is also seeking the sponsorship of the University of Washington School of Law. This sponsorship is reviewed annually following the delivery of a report by University of Washington Continuum College that includes (but is not limited to): instructor evaluations, student exit surveys and updated/new course syllabi and instructor resumes. This report will be delivered at a mutually agreeable date (likely the Spring quarter). Currently planned: June 2017.

## **ATTACHMENT 3**

January 11, 2018

William Covington  
LLLT Board Site Team Chair  
Washington State Bar Association

Re: UWCC Continuum College Application for LLLT Board Approval

Dear Mr. Covington,

In response to the Team's letter from October 30, 2017 and our meeting on November 7, 2017, I have prepared responses including several supplemental documents. I will briefly respond to each question from the original letter in order and reference attached documents as necessary:

- The Paralegal Studies program is a fall-start program beginning in late September of each fall. Students enroll in three (3) courses per quarter and can complete the certificate after completing all twelve (12) classes over four (4) quarters (fall, winter, spring and summer). The summer quarter is offered exclusively online. In the future, we may consider offering additional online electives and/or a spring-start option. Beyond that, nothing about the structure or delivery format of the program will change if the application is approved.
- Yes. The Advisory Committee of the Paralegal Studies program has been reconstituted under the guidelines required by the LLLT application. I hosted a meeting in the fall and plan to host another meeting in the winter or spring.
- Yes. Please see the attached document titled "Crosswalk Matrix."
- Students who express interest in the Paralegal Studies Program initially work with *Enrollment Coaches* in our Enrollment Services unit. These individuals walk potential applicants through the program at a high level (application requirements, coursework, rigor of the program, cost, etc.). Students with more complicated questions are referred to me - the *Program Manager*. As the Program Manager, I also host Information Meetings (in person and online) during the spring and summer for potential applications with the support of at least one instructor. All admission decisions are made by the Program Manager.
- The development of the LLLT program was well known to the previous Program Manager (she was an attorney) and many of the program's instructors. In February 2017, I reached out to Ellen Reed and Steve Crossland for more information about the approval process. After meeting with Steve Crossland twice, I advanced this information to my direct supervisor – Malia Morrison (*Program Director*) and Erik Bansleben (*Senior Program Director*). In April 2017, I approached the UW School of Law for a preliminary conversation to determine their support for the idea (Steve Crossland was also at this meeting). After confirming the School of Law's support, UWC<sup>2</sup>'s internal protocols were followed for the redevelopment of the program (a two-stage process with proposals and presentations to UWC<sup>2</sup>'s senior leadership including the Associate Vice Provost). Following this process – the application was prepared and existing program faculty were assigned new courses while new faculty were hired. Upon completion of the application, the Vice Provost was briefed on the situation and he signed the application.
- UWC<sup>2</sup> promotes this program via printed materials (catalogs and mailers) along with some limited online advertising that is done on social media and via search words. These efforts mirror the promotional efforts of all of UWC<sup>2</sup>'s other programs and are handled by the

## **ATTACHMENT 4**



# ADVISORY BOARD

Each of our programs uses an advisory board to review content, guide design and recommend updates to ensure the program remains current as the field of study evolves. By tapping the minds of the top thinkers, doers and leaders in the field, we offer a transformational learning experience. The following individuals serve as the advisory board for this program.

**CYNTHIA BROWN**, Paralegal, Perkins Coie, LLP

**ELVA GONZALEZ**, Senior Paralegal, Perkins Coie, LLP, and Past President, Washington State Paralegal Association

**BRENDA HIGLEY**, Firm Administrator, Peterson Russell Kelly, PLLC

**MARY HOTCHKISS**, J.D., LL.M., Associate Dean, UW School of Law

**SHELLY LANGLEY**, Owner, Langley Recruiting, LLC

**DAVID SOMA**, J.D., Attorney

**CAROL VAN BUREN**, Director of Paralegal Services, Perkins Coie, LLP

**DYANA VEIGELE**, J.D., General Counsel and President, Law Dawgs – Quid Pro Quo Global

**BRUCE WIENER**, J.D., Partner, Wiener and Lambka, P.S.

CLOSE

# **ATTACHMENT 5**



8060 165th Avenue N.E., Suite 100

Redmond, WA 98052-3981

425 558 4224

Fax: 425 376 0596

[www.nwccu.org](http://www.nwccu.org)

January 27, 2014

Dr. Michael K. Young  
President  
University of Washington  
Office of the President  
301 Gerberding Hall, Box 351230  
Seattle, WA 98195-1230

Dear President Young: *Michael*

On behalf of the Northwest Commission on Colleges and Universities, I am pleased to report that the accreditation of the University of Washington has been reaffirmed on the basis of the Fall 2013 Year Seven *Mission Fulfillment and Sustainability* Evaluation which was to include Recommendations 1 and 2 of the Spring 2011 Year One Peer-Evaluation Report.

In reaffirming accreditation, the Commission requests that the University include an addendum in its Spring 2015 Year One *Mission and Core Themes* Report to address Recommendations 2 and 3 of the Fall 2013 Year Seven Peer-Evaluation Report. In addition, the Commission requests that the University include an addendum in its Spring 2016 Mid-Cycle Self-Evaluation Report to address Recommendations 1 and 4 of the Fall 2013 Year Seven Peer-Evaluation Report. In making these requests, the Commission finds that Recommendations 1, 2, 3, and 4 of the Fall 2013 Year Seven Peer-Evaluation Report are areas where the University of Washington is substantially in compliance with Commission criteria for accreditation, but in need of improvement. A copy of the Recommendations is enclosed for your reference.

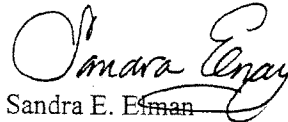
The Commission commends the University for its robust response to the fiscal downturn, marked by planning that engaged much of the University's community. In addition, the Commission applauds the University's commitment to access, which is exemplified by the high fraction of Pell-eligible and first generation college students on the University's Bothell, Seattle, and Tacoma campuses as well as its commitment to enhancing the undergraduate experience through freshman interest groups, undergraduate research opportunities, the Husky Leadership Initiative, and an intellectually vibrant residential community. Moreover, the Commission commends the fostering of effective collaborations between the library and significant academic programs to enhance active learning, research, scholarship, and service. Further, the Commission finds laudable the University's distinguished health science enterprise characterized by innovative programs. Lastly, the Commission finds noteworthy the University's efforts to ensure that student-athletes across sports and affinity groups (gender, race, and ethnicity) demonstrate strong graduation and retention rates.

President Michael K. Young  
Page Two  
January 27, 2014

If you have any questions, please do not hesitate to contact me.

Best wishes for a peaceful and fulfilling New Year.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra E. Eisman".

Sandra E. Eisman  
President

SEE:rb

Enclosure: Recommendations

cc: Dr. Gerald Baldasty, Senior Vice Provost for Academic and Student Affairs ✓  
Mr. Orin Smith, Chair, Board of Regents

**Year Seven *Mission Fulfillment and Sustainability* Evaluation**  
**Fall 2013**  
**University of Washington**  
**Recommendations**

1. The evaluation committee recommends that the University develop a plan for bringing faculty salaries up to the median for its comparison group. The gap in faculty compensation between the University of Washington and its peer institutions is among the greatest long-term threats to the University's ability to fulfill its mission and sustain excellence. The committee recognizes that this may require new resources (Standard 5.B.1 and 5.B.3).
2. The University of Washington has selected three core themes: teaching and learning; research and scholarship; and service. The evaluation committee recommends that the University establish a small number of clear and measurable goals in each thematic area, using its impressive capacity for qualitative and quantitative research and analysis. Such goals would serve to focus planning, assessment, and coordination across units and campuses (Standard 3.A.3 and 3.B.3).
3. The evaluation committee recommends that the University build upon its robust culture of assessment to create a more coherent, integrated, and comprehensive approach to assessment to support its planning efforts (Standard 3.A.1).
4. The evaluation committee recommends that the University consider ways to enhance communication between the staff and institutional leadership and find additional ways to show appreciation for staff contributions (Standard 2.B.3).

## **ATTACHMENT 6**

Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Introduction to Law & Legal Process  Requirements are addressed in PARA 100.	<ol style="list-style-type: none"> <li>1. Description of state courts and their powers</li> <li>2. Description of federal courts and their powers</li> <li>3. The concept of personal and subject matter jurisdiction</li> <li>4. Overview of court procedure from filing the complaint through appeal</li> <li>5. Legal and civil remedies courts may impose</li> <li>6. Federal supremacy</li> <li>7. Alternative Dispute Resolution</li> <li>8. Intro to court rules</li> <li>9. Basic causes of action</li> <li>10. Civil vs. Common law systems</li> <li>11. Sources of law</li> <li>12. Roles of judges and lawyers</li> <li>13. Basic overview of tribal law</li> </ol>	<ul style="list-style-type: none"> <li>• succinctly summarize cases;</li> <li>• construct solid, well reasoned legal arguments and defenses; and</li> <li>• chart the progress of a legal dispute through the civil litigation process, from the filing of the complaint to the hearing of the appeal after trial.</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Reading and Briefing Cases</li> <li>• Legal Analysis</li> <li>• Writing Skills</li> <li>• Substantive Civil Law and Procedure</li> <li>• Civil Discovery); Tribal Law</li> <li>• Decedents' Estates</li> </ul>	PARA 100



Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Civil Procedure & Litigation Requirements are addressed in PARA 115, 130, and 150.	<ol style="list-style-type: none"> <li>1. Overview of civil court rules (state and local) including how they are developed and modified</li> <li>2. Commencement of action</li> <li>3. Description of complaints and answers and the diverse types of answers</li> <li>4. Motion practice and its elements</li> <li>5. Discovery practice and its elements including e-discovery</li> <li>6. Statutes of Limitation and other deadlines</li> <li>7. Jurisdiction v. Venue</li> <li>8. Service of Process</li> <li>9. Drafting documents</li> <li>10. FOF/COL and Judgments</li> <li>11. Alternatives to trial</li> <li>12. Intro to choice of law</li> </ol>	<p>You will be able to</p> <ul style="list-style-type: none"> <li>• prepare pleadings and defenses, and state where and how to file them;</li> <li>• describe and explain motion practice and how best to employ it; and</li> <li>• formulate an effective discovery plan, including how to prepare and take depositions</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Courts, personal and subject matter jurisdiction, venue</li> <li>• Statutes of limitation, claim statutes, complaints, causes of action, parties and fictitious names</li> <li>• Multiple claims, damages, drafting pleadings, proper filing, TROs</li> <li>• Service, amending complaints, responses, denials, affirmative defenses</li> <li>• Counter and cross claims, third party complaints, legal challenges to complaints</li> <li>• Defaults, pre- and post-trial motions</li> <li>• Limits on discovery; privileges</li> <li>• Depositions; preparing clients and witnesses</li> </ul>	PARA 115
		<ul style="list-style-type: none"> <li>• create and draft a discovery strategy, and implement that strategy with maximum effectiveness;</li> <li>• assist an attorney with every phase of a trial, including developing the trial notebook, impaneling a jury, direct and cross examination and writing compelling opening statements and closing arguments; and</li> <li>• prepare clients and witnesses for trial, including trial logistics, how to testify effectively, and how to undergo cross examination.</li> </ul>	PARA 130

	<p>Topics</p> <ul style="list-style-type: none"><li>• Interrogatories</li><li>• Physical and Mental Exams</li><li>• Requests to Produce</li><li>• Requests to Admit</li><li>• Settlements, Dismissals, Alternative Dispute Resolution</li><li>• Trial techniques, preparation of clients and witnesses, trial briefs, trial motions, trial notebooks</li><li>• Trial techniques (cont.), preparation of exhibits, subpoenas trial logistics, jury selection, opening/closing, direct/cross examination, the paralegal's role at trial, trial motions</li><li>• Post-trial, enforcement of judgments, appeals</li></ul>	
	<p>After successfully completing this course you will be able to</p> <ul style="list-style-type: none"><li>• locate the sources for criminal codes and summarize the various sources of misdemeanor felony, and federal criminal laws;</li><li>• identify conduct that falls into various categories of crimes;</li><li>• arrange the steps of hypothetical cases in criminal law and family law in proper procedural order;</li><li>• draft a memorandum for one of the cases establishing limits on investigations conducted by law enforcement;</li><li>• define, identify, and use terminology, case flow, and constitutional arguments;</li><li>• draft a parenting plan that considers issues presented by children of a marriage facing divorce/dissolution</li></ul> <p>Topics</p> <ul style="list-style-type: none"><li>• Foundations of criminal law and the administration of criminal law and the role of the paralegal</li><li>• <u>crimes, criminals and punishments</u></li><li>• Constitutional constraints on the criminal process:</li></ul>	<p>PARA 150</p>

		<p>search and seizure, confessions and pre-trial identification procedures</p> <ul style="list-style-type: none"> <li>• Pre-trial and trial: adults and juveniles, sentencing, and punishment</li> <li>• Marriage and the legal recognition of the non-marital couple</li> <li>• The states and the end of the Defense of Marriage Act of 1996</li> <li>• Domestic violence, dissolution/divorce, community property, and prenuptial agreements</li> <li>• Separation, child custody, parenting plans, and orders of support</li> <li>• The divorce process</li> </ul>	
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Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Legal Research, Writing and Analysis  Requirements are addressed in PARA 105, 135, and 155.	<ol style="list-style-type: none"> <li>1. Primary sources of law--binding and non-binding</li> <li>2. Secondary sources v. Finding tools</li> <li>3. Use of research tools/Methods of research</li> <li>4. Case law, Statutory Law, Administrative Law</li> <li>5. How to state issues</li> <li>6. Common law concept and stare decisis</li> <li>7. Shepardize/Validate law</li> <li>8. Formats for Court Documents</li> <li>9. Using Proper Citations</li> <li>10. Proofreading</li> <li>11. Briefing a Case</li> <li>12. Writing Memos and Letters</li> <li>13. Preparing a Motion Argument</li> <li>14. Techniques of legal reasoning, analysis and synthesis</li> <li>15. Objective Memorandum</li> </ol>	<ul style="list-style-type: none"> <li>• Locate the commonly-used legal research materials in a law library and on-line.</li> <li>• Understand the basics of using a computer-assisted research tool- Westlaw.</li> <li>• Conduct basic to intermediate level legal research.</li> <li>• Analyze statutory and case authority and relate it to a given fact pattern.</li> <li>• Prepare an objective legal memo.</li> <li>• Cite to the commonly-used legal materials using the proper <u>Bluebook</u> form and Washington Style Sheet rules.</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Legal Memoranda</li> <li>• Legal Citation - Statutes</li> <li>• Writing the Service of Process Memorandum</li> <li>• Constructive Eviction</li> <li>• Researching Common Law</li> <li>• Legal Citation</li> <li>• Legal Sources</li> </ul>	PARA 105
		<ul style="list-style-type: none"> <li>• locate the commonly-used legal research materials in a law library and online;</li> <li>• use a computer-assisted research tool—Westlaw—at a basic level;</li> <li>• conduct basic- to intermediate-level legal research.</li> <li>• analyze statutory and case authority and relate it to a given fact pattern.</li> <li>• prepare an objective legal memo.</li> <li>• cite to the commonly-used legal materials using the proper <u>Bluebook</u> form.</li> <li>• Legal research sources and materials</li> <li>• Analysis of statutes and case law</li> </ul>	PARA 135

	<ul style="list-style-type: none"> <li>• Motion Brief Preparation – Persuasive Writing</li> <li>• Ethical issues related to Legal Research &amp; Writing</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Opinion letter</li> <li>• Drafting emails and text messages</li> <li>• Persuasive writing</li> <li>• Researching the issue</li> <li>• Discussing the cases</li> <li>• Drafting the statement of facts, issue</li> <li>• Drafting arguments, headings</li> <li>• Writing the conclusion and signature block</li> <li>• Revising the arguments</li> <li>• Editing and revising the motion</li> <li>• Cite checking</li> <li>• Introduction to murphy case</li> <li>• Researching federal law</li> <li>• Factor tests</li> <li>• Organizing and writing the memo</li> <li>• Researching in other sources</li> </ul>	
	<ul style="list-style-type: none"> <li>• identify the legal contexts in which complex litigation is likely to arise;</li> <li>• identify jurisdictional questions that are likely to arise in complex litigation;</li> <li>• locate, list, and explain the typical rules of civil procedure, particularly federal rules and statutes that are likely to be implicated in the context of complex litigation;</li> <li>• list and define the various devices available for aggregating parties and claims in complex litigation;</li> <li>• promote and execute the helpful roles that paralegals can and are likely to perform in complex litigation;</li> </ul>	<p>PARA 155</p>

		<ul style="list-style-type: none"> <li>• conduct legal research on the free Internet resources that are likely to help paralegals in their work, particularly in complex litigation; and</li> <li>• identify requirements for preservation, review, and production of electronically stored information and application in the discovery process</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• What is complex litigation? Removal and supplemental jurisdiction</li> <li>• Rule 11</li> <li>• Joinder of claims and parties/class actions</li> <li>• Attorney-client privilege/experts</li> <li>• Discovery techniques</li> <li>• Secrecy in litigation</li> <li>• Abuse of discovery and sanctions</li> <li>• Scheduling, pretrial conferences, polyfurcation</li> <li>• Jury instructions and special verdicts</li> <li>• Appeals; claim and issue preclusion: res judicata and collateral estoppel</li> </ul>
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Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Contracts  Requirements are addressed in PARA 140.	<ol style="list-style-type: none"> <li>1. Elements of contract formation, breach of contract, and remedies for breach</li> <li>2. Offer and acceptance</li> <li>3. Consideration;</li> <li>4. issues of interpretation</li> <li>5. Conditions</li> <li>6. Performance</li> <li>7. Breach</li> <li>8. Damages or other remedies</li> <li>9. Discharge</li> <li>10. The parol-evidence rule</li> <li>11. The statute of frauds</li> <li>12. Illegality</li> <li>13. Assignments</li> <li>14. Beneficiaries</li> <li>15. Interplay between case law and statutory law</li> <li>16. Overview of Article 2 of UCC</li> <li>17. Major Contract Issues in Assessing a New Contract</li> </ol>	<p>analyze, edit, and draft contract clauses</p> <p>Topics</p> <ul style="list-style-type: none"> <li>• Contracts in the legal and commercial setting;</li> <li>• Sources of primary law, and important secondary sources</li> <li>• Paralegal's role in contract review, management and drafting.</li> <li>• Offer, acceptance, and consideration</li> <li>• Legality of subject matter; contractual capacity</li> <li>• Contractual intent (mistake; fraud and misrepresentation)</li> <li>• Contract provisions, including conditions and statute of frauds</li> <li>• Uniform Commercial Code (Articles 1, 2, 2A Assignment, delegation, and third-party contracts, and 9A) Performance and discharge; Enforcement and remedies</li> <li>• Contract analysis: principles of contract interpretation; plain writing guidelines</li> <li>• Common drafting mistakes</li> <li>• Drafting simple contracts</li> </ul>	PARA 140

Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Professional Responsibility/Ethics  Requirements are addressed in PARA 110.	<ol style="list-style-type: none"> <li>1. RPC</li> <li>2. LLLT RPC</li> <li>3. Basic scope of LLLT practice</li> <li>4. LLLT/Client Relationship</li> <li>5. Handling client funds</li> <li>6. Conflict of Interest</li> <li>7. Diligence/Competence</li> <li>8. Communication</li> <li>9. Unauthorized Practice of Law</li> <li>10. Confidentiality</li> <li>11. Marketing and advertising</li> <li>12. Financial responsibility</li> <li>13. Duty to Report Suspected Child Abuse</li> </ol>	<ul style="list-style-type: none"> <li>• Demonstrate a working knowledge of the ABA Model Guidelines and the canons of the National Association of Legal Assistants</li> <li>• describe the difference between confidentiality and attorney-client privilege</li> <li>• Identify conduct or actions that present conflicts of interest</li> <li>• Locate applicable case law and other sources of authority, including the Rules of Professional Conduct, canons, and ethics opinions</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Regulation of Lawyers and Paralegals</li> <li>• Unauthorized Practice of Law</li> <li>• Confidentiality versus Attorney-Client Privilege</li> <li>• Ethics and PR in Reality- Private Sector Paralegal and Public Sector Paralegal</li> <li>• Conflict of Interest</li> <li>• Fees and Client Funds</li> <li>• Competence</li> <li>• Advertising and Solicitation</li> <li>• Special Issues in Advocacy</li> <li>• Professionalism</li> </ul>	PARA 110



Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
Law Office Procedures/Technology Requirements are addressed in PARA 125.	<ol style="list-style-type: none"> <li>1. Managing Client Trust Accounts</li> <li>2. Time Management/Prioritizing</li> <li>3. Word/Excel/Outlook/Access</li> <li>4. Legal Software for the Office/Trial Software</li> <li>5. E-Filing</li> <li>6. Client representation Agreements</li> <li>7. Protection of confidential information/records--hard copy and electronic (e-discovery)</li> <li>8. Calendar/Tickle System</li> <li>9. Managing difficult clients</li> <li>10. Business practices and policies</li> <li>11. Referral issues with lawyers and other professionals</li> </ol>	<p>Upon the successful completion of this course, you will be able to</p> <ul style="list-style-type: none"> <li>• perform appropriate procedures for accounting, docketing, calendaring, and timekeeping;</li> <li>• use advanced features of software applications for word processing, presentations, spreadsheets;</li> <li>• use features of practice management systems including time keeping, calendaring, managing client conflict of interest; document management, document production;</li> <li>• employ techniques for controlling your inbox and various outlook features critical to today's law office;</li> <li>• identify and explain limitations on lawyer advertising, marketing, and social media;</li> <li>• identify disaster recovery and record retention requirements; and</li> <li>• perform e-filing.</li> </ul> <p>Topics unlisted</p>	PARA 125

Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
<p>Interviewing &amp; Investigation Techniques</p> <p>Requirements are addressed in PARA 120 and 145</p>	<ol style="list-style-type: none"> <li>1. Client Interviews</li> <li>2. Working with Expert Witnesses/Third Parties</li> <li>3. Drafting Witness Statements</li> <li>4. Factual Investigations</li> <li>5. Creating an Investigation Plan</li> <li>6. Researching general knowledge on a specific subject</li> <li>7. Evidence</li> <li>8. Working with difficult people</li> </ol>	<ul style="list-style-type: none"> <li>• ask the basic questions necessary for a successful interview;</li> <li>• explain the rules of investigation and trace their history;</li> <li>• investigate an incident through multiple interviews;</li> <li>• conduct an intake interview;</li> <li>• interview the main types of witnesses;</li> <li>• create, implement, and critique an investigative plan;</li> <li>• interview a challenging or difficult subject (the "accused" of an investigation);</li> <li>• present a verbal report of your findings after an interview;</li> <li>• conduct an investigation to determine whether or not discrimination or harassment has occurred;</li> <li>• create a variety of interview statements; and</li> <li>• create an investigation report and an in-depth analysis of the investigation.</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Types of investigations</li> <li>• Preparing for an interview</li> <li>• Major rules and roles in investigation</li> <li>• Intake interviews with complainant</li> <li>• Witness interviews</li> <li>• Investigative plans</li> <li>• Interviewing challenging or difficult subjects</li> <li>• Creating a verbal report of findings</li> <li>• Discrimination and harassment</li> </ul>	<p>PARA 120</p>

Required Core Course	Required Course Content	Current Course Learning Outcome Upon the successful completion of this course, you will be able to	Course
		<ul style="list-style-type: none"> <li>• describe the forms of business ownership and explain their relative benefits and drawbacks;</li> <li>• explain the process by which real property is purchased and sold; and</li> <li>• describe the myriad of laws governing the employee-employer relationship.</li> </ul> <p>Topics</p> <ul style="list-style-type: none"> <li>• Negotiable instruments</li> <li>• Forms of business ownership;</li> <li>• The banking system</li> <li>• The purchase and sale of real estate;</li> <li>• Financing the purchase of real estate;</li> <li>• The employment relationship;</li> <li>• International law; and</li> <li>• Intellectual property.</li> </ul>	PARA 145

## **ATTACHMENT 7**

Required Course Content	Introduction to Law & Legal Practice	Legal Research, Writing and Analysis I	Professional Responsibility and Ethics	Civil Procedure and Litigation I	Interviewing & Investigation Technique	Law Office Procedures & Technology	Civil Procedure and Litigation II	Legal Research, Writing and Analysis II	Contract Law
Description of state courts and their powers	✓			✓			✓		
Description of federal courts and their powers	✓			✓			✓		
The concept of personal and subject matter jurisdiction	✓								
Overview of court procedure from filing the complaint through appeal	✓								
Legal and civil remedies courts may impose	✓								
Federal supremacy	✓								
Alternative Dispute Resolution	✓								
Intro to court rules	✓								
Basic causes of action	✓								
Civil vs. Common law systems	✓								
Sources of law	✓	✓							

Roles of judges and lawyers	✓	✓							
Basic overview of tribal law	✓								
Overview of civil court rules (state and local) including how they are developed and modified				✓			✓		
Commencement of action & 8. Service of Process				✓			✓		
Description of complaints and answers and the diverse types of answers				✓			✓		
Motion practice and its elements				✓			✓		
Discovery practice and its elements including e-discovery				✓			✓		
Statutes of Limitation and other deadlines				✓			✓		
Jurisdiction vs. Venue				✓			✓		
Drafting documents		✓		✓			✓	✓	
FOF/COL and Judgments				✓			✓		

Alternatives to trial					✓				✓				
Intro to choice of law	✓				✓					✓			
Primary sources of law – binding and non-binding					✓							✓	
Secondary sources v. Finding tools					✓							✓	
Use of research tools/Methods of Research					✓							✓	
Case law, Statutory Law, Administrative Law					✓							✓	
How to state issues					✓							✓	
Common law concept and stare decisis					✓							✓	
Shepardize/Validate law					✓							✓	
Formats for Court Documents					✓							✓	
Using Proper Citations					✓							✓	
Proofreading					✓							✓	
Briefing a Case					✓							✓	
Writing Memos and Letters					✓							✓	
Preparing a Motion Argument					✓							✓	

[illegible]



Major Contract Issues in Assessing a New Contract									✓
RPC			✓						
LLT RPC			✓						
Basic scope of LLT practice			✓						
LLT/Client Relationship			✓						
Handling client funds			✓						
Conflict of Interest			✓						
Diligence/Competence			✓						
Communication			✓						
Unauthorized Practice of Law			✓						
Confidentiality			✓						
Marketing and advertising			✓						
Financial responsibility			✓						
Duty to Report Suspected Child Abuse			✓						
Managing Client Trust Accounts			✓						
Time Management/Prioritizing			✓						
Word/Excel/Outlook/Access		✓				✓		✓	
Legal Software for the Office/Trial Software		✓				✓		✓	

E-Filing							✓				
Client representation Agreements							✓				
Protection of confidential information/records—hard copy and electronic (e-discovery)							✓				
Calendar/Tickler System							✓				
Managing difficult clients							✓				
Business practices and policies							✓				
Referral issues with lawyers and other professionals							✓				
Client Interviews						✓	✓				
Working with Expert Witnesses/Third Parties						✓					
Drafting Witness Statements						✓					
Factual Investigations						✓					
Creating an Investigation Plan						✓					

Researching general knowledge on a specific subject		✓				✓			✓	
Evidence	✓	✓		✓	✓		✓	✓	✓	✓
Working with difficult people					✓					

## **ATTACHMENT 8**

April 11, 2017



Program Design Proposal  
Paralegal Studies Program Refresh  
April 11, 2017

Prepared by Ben Starsky

**Proposed Title:** Paralegal Studies Program

**Proposed Start Date:** Autumn 2017

**PM:** Ben Starsky

**Director:** Malia Morrison

**Proposed Department Sponsor:** Law School

**Type of Credit:** CEU

**Proposed Delivery Format/Location:** Online/Onsite (Seattle)

**SMEs Consulted:** Erik Bansleben, Karen Haberfeld, Malia Morrison, Karen Dowdall-Sandford, Sara Pearson, Sandi Janusch, Stephanie McCarthy, Karen Daniels, Danielle Allsop, Risa de Gorgue

**1) Program Overview**

The current Paralegal Program has not had an extensive review for a number of years – perhaps longer than a decade (when the online program was launched). In the meantime, the legal professional space has shifted and modernized. More programs have emerged and our local competitors have complied with American Bar Association (ABA) Guidelines, but we have not – which results in the reports from previous PMs, Marketing and Enrollment Services; students ask: “Is this program ABA approved?” When we respond that the program is not ABA approved – students elect not to apply.

Beyond that, one of the highest profile conversations in the field is access to affordable legal representation.<sup>1</sup> Recent efforts by many states have attempted to provide non-attorney legal support in the areas of housing, family law and healthcare.<sup>2</sup> Washington State is unique in this regard because of its experimental effort to create the Limited License Legal Technician. This development is central to the proposed changes outlined in this document.

Following this multi-year program refresh, the Paralegal Studies Program will have a more flexible format, emulate the successful features of our peers and achieve the gold standard in the field – approval by the American Bar Association. LLLT & ABA approval are not easy standards to achieve and require a minimum number of credits, specific course content and a long list of administrative & operational resources. While the standards for each body are slightly different, this proposal attempts to reach LLLT approval in FY18 and ABA approval in FY19 by building out a strategic set of required courses. Unfortunately, neither body recognizes an entirely online program.

In FY 18, learning outcomes would remain similar to the existing program while the number of required courses would expand from nine to 12 to accommodate content required by the LLLT

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<sup>1</sup> <https://www.law360.com/articles/888893/gorsuch-sparks-hope-among-affordable-justice-advocates>

<sup>2</sup> [https://www.nycourts.gov/courts/nyc/housing/rap\\_prospective.shtml](https://www.nycourts.gov/courts/nyc/housing/rap_prospective.shtml)

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Board and to account for the widespread integration of technology into law offices. Course syllabi will be redrafted and re-sequenced to standardize each course into a discrete three (3) CEU offering covering specific content and the program will now cover four (4) quarters as seen in the chart on the following page. Notably, Summer quarter will be exclusively online.

Following these changes over the summer of 2017, the program would apply for LLLT Approval in the fall of 2017 (a site visit is expected in late fall or early winter). Following completion of the program, students could choose to pursue employment as a paralegal or continue to the LLLT Program at the UW Law School.<sup>3</sup>

<u>Fall</u>	<u>Winter</u>	<u>Spring</u>
Fundamentals of Legal Practice (6)	Litigation Basics (9)	Business Law (3)
		Litigation Specialties (3)
Legal Research & Writing (3)		Complex Litigation (3)
9 CEUs	9 CEUs	9 CEUs

Table 1: Current Paralegal Studies Program

<u>Fall</u>	<u>Winter</u>	<u>Spring</u>	<u>Summer</u>
Introduction to Law & Legal Process (3)	Civil Procedure & Litigation I (3)	Civil Procedure & Litigation II (3)	Business Law (online, 3)
Legal Research, Writing & Analysis I (3)	Interviewing & Investigation Technique (3)	Legal Research, Writing & Analysis II (3)	Litigation Specialties (online, 3)
Professional Responsibility & Ethics (3)	Law Office Procedures & Technology (3)	Contract Law (3)	Complex Litigation (online, 3)
9 CEUs	9 CEUs	9 CEUs	9 CEUs

<sup>3</sup> Our current program graduates are not eligible for this program without completing additional coursework and/or submitting a costly waiver.



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Table 2: Proposed Paralegal Studies Program for FY18;  
All titles & scheduling subject to change

In FY19, preparations will be made to seek ABA Approval. The process for ABA Approval is more complicated (a two-day site visit is required) and costly (\$2,500 application fee + transportation/lodging expenses for the entire site visit team) and we will not have the organizational or operational capacity (amongst other things, we will need the capability to track long-term student employment outcomes).

Looking to FY20 and beyond, UWC<sup>2</sup> has multiple options:

- offering a blended, accelerated, compressed or synchronous DL ABA approved paralegal program (while lobbying for an entirely online program)<sup>4</sup>
- offering an entirely online LLLT approved paralegal program
- attempting to obtain ownership of the Law School's LLLT programs

The first option would set us apart from our peer institutions and be a remarkable (but challenging) accomplishment in the field of online education. The second option seems like a natural step forward from what we will build in FY18. The last option would put us on the cutting edge of an innovative credential that we may see in other states fairly soon.<sup>6</sup>

## 2) Target Audience

The revised program has two distinct but not separate target audiences. This proposal continues to target students who wish to pursue work as a traditional paralegal under the supervision of a practicing attorney. We know that this audience exists and that the program – with the proper restructuring – can attract a sizable cohort. With LLLT approval, we will capture a new audience of students who are planning a longer term (and potentially more lucrative) career in the legal field. Additionally, students who initially pursue employment as a paralegal will be able to go back for LLLT coursework as their personal lives and finances allow (if they wish). By adding ABA approval in FY19, we add additional national recognition and branding to the program – further aligning our brand with that of the flagship law school in the state/region. ABA approval also conveys a certain degree of portability to the credential and adds value outside of Washington State. Market Research has provided initial data about student interest in the legal profession (specifically regarding a law school at UW Tacoma), and it is clear that there are a large number of students (recent graduates, working professionals and those are not currently employed) seeking this type of affordable and accessible education.<sup>7</sup> Yet, there are a

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<sup>4</sup> ABA Guidelines (page 27) currently require at least ten (10) semester credits (6.6 CEUs) of coursework through “traditional classroom instruction.” There are signs that the ABA may be willing to relax this requirement, if the alternative was done well. The legal field is very suspicious of online learning.

<sup>5</sup> The Public Welfare Foundation found that the UW Law School was struggling to offer the program – financially and logistically. The recommendations in their report include allowing other entities to offer the courses.

<sup>6</sup> See: <http://www.lawsitesblog.com/2015/03/calif-bar-task-force-calls-for-legal-technician-pilot-program.html> & [https://www.coloradosupremecourt.com/PDF/AboutUs/LLLT/LLLT%20Subcommittee%20Meeting%20Minutes\\_01%2022%202016.pdf](https://www.coloradosupremecourt.com/PDF/AboutUs/LLLT/LLLT%20Subcommittee%20Meeting%20Minutes_01%2022%202016.pdf)

<sup>7</sup> Market Research is compiling additional resources to further refine our understanding of the market and the premium that students are willing to pay for the UW brand over our local competitors (Edmonds and Tacoma Community Colleges). With that said, the comments found in the Demand Study regarding the (lack of) affordability of attending law school are very relevant to our program and the LLLT credential.

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number of ABA approved community colleges in the immediate area so it will be crucial for us to move quickly to reposition ourselves in the market.

**3) Student Value**

In FY17 - 54 students applied to the onsite program, 32 enrolled in the Autumn quarter and there are currently 26 registered for Spring quarter classes. For FY17 – 55 students applied to the online program, 33 enrolled in the Autumn quarter and 29 are currently registered for Spring quarter. Student evaluations of the current program are mixed at best and often note being overwhelmed with the coursework – especially Legal Research and Writing.<sup>8</sup> Mentioned above, our existing Paralegal Program is not LLLT or ABA approved and very expensive compared to our largest local (ABA approved) competitors – Edmonds Community College and Tacoma Community College. More to the point, our existing Paralegal programs are inflexible – only offering onsite courses via one program and online courses in another. By refreshing the curriculum and aligning the program with industry standards and the expectations of employers, the proposed program would offer a much higher quality, modernized education and student experience (with or without LLLT or ABA approval) while presenting a much better value proposition (with LLLT and/or ABA approval).

**4) Portfolio Value**

Essentially, this proposal reflects a significant realignment and resequencing of the two (2) distinct Paralegal Studies programs into a singular, modernized Paralegal Studies program. This is necessary because neither of the Paralegal studies programs - onsite or online (recently sunset) - performed well regardless of what metrics we used (declining enrollments and negative revenue). Furthermore, we did not continue to respond to the market in a meaningful way as it changed and became more crowded. This new program allows us to retain this space in our portfolio while presenting an opportunity to repair a relationship with a campus partner (with the long-term potential to take ownership of an incredibly innovative licensure program). This proposal leverages existing the existing onsite program and emulates the best practices of our peer institutions and local competition. Finally, the new format prepares these courses for future efforts to scale via online content.

**5) Program Design and Pricing**

Mentioned previously, this program will offer courses – in a cohort – both onsite and online. This is a change from the old formats (previously students were not allowed to switch between online and onsite) and keeps the program reasonably affordable. While the cost of each CEU was reduced to \$200 (making a consistent price point of \$600 per class), the total cost of the program has increased to \$7,200 (from \$6,100) because of the greater number of required courses. This puts us higher than our local competition of Tacoma Community College and Edmonds Community College who offer ABA approved programs for approximately \$5,500 - \$6,000. With that said, students were paying a premium for our existing (lower quality) programs – arguably, we may attract more students at the higher price point given a higher quality/value program.

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<sup>8</sup> The online Paralegal program (currently on hiatus indefinitely) is even more challenging for students and arguably has a poorer quality experience given the dated content/format/structure. Many of our instructors are not using best practices in their online courses – which is also troubling.





**6) Curriculum Design, Delivery Method, Learning Experiences and Instruction**

While the broader framework of the program has been determined, there are a number of finer details that need to be refined with the instructors and will be done as soon as possible. We have concluded that a majority of the courses offered for FY18 and FY19 will be onsite and reflect much of the same outcomes as the existing program.

The Autumn, Winter and Spring courses primarily focus on the foundations of the legal profession while the Summer courses (currently proposed as exclusively online) and are considered "legal specialties" by LLLT and ABA (other programs offer more than the minimum number to allow students to pick & choose, our model – at least initially – will not).<sup>9</sup> This format gives students a one quarter break between Legal Research, Writing & Analysis I & II (two of the most rigorous and challenging courses in the program) while leaving some of the less challenging content for the online courses (and later in the program, when students will have higher levels of self-efficacy). Finally, this format eliminates many of the artificial combinations of material found in the old program (such as the six CEU course in the fall and the nine CEU course in the winter), which were difficult to grade and teach as a single course.

We expect a considerable amount of the work over the spring and summer dedicated to reestablishing a strong connection with the instructors, refreshing the courses and updating learning experiences. Following the FY18 launch, the focus will shift to the development of additional online courses while considering the operational and programmatic needs for ABA approval. At this stage, new instructors may need to be hired.

**7) Program Operations**

Students must successfully complete all 36 CEUs within two years to earn a certificate (to make accommodations for students that defer mid-year and come back the following year to finish). Management of this program will be complicated because of the tight timetable necessary to build out the curriculum for FY18 while preparing for the LLLT approval. Furthermore, if the program is expected to seek ABA approval in FY19, the PM will need work closely with OPs and ES to ensure a high quality student experience (in addition to rigorous courses) as that will be the primary focus on the ABA site visit team. Ultimately, by FY20 the program could offer ABA approved online courses requiring considerable support.

**8) Advisory Board**

According to the records of previous Program Managers, the Paralegal Studies Programs have not had an Advisory Board meeting in over two years. This refresh allows us the opportunity to identify and solicit new Advisory Board members (including paralegals, practicing LLLTs and leaders of the Washington State Bar Association). High value targets include:

- Steve Crossland (LLLT Board Member and Chair of the LLLT Education Committee)
- Ellen Reed (LLLT Coordinator, Washington State Bar Association)
- Paula Littlewood (Executive Director, Washington State Bar Association)

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<sup>9</sup> In FY19 and FY20, we may build out additional online courses offered during the Autumn, Winter and Spring which will add additional flexibility to the program but for FY18 – this is simply inadvisable (fiscally and programmatically).

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- Robin Lynn Haynes (President, Washington State Bar Association Board of Governors)<sup>10</sup>
- Future Dean of the Law School (the current Dean has stepped down)

#### 9) Program Budget

The existing Paralegal Studies Program model offers the same certificate across two different programs (and two budgets) with two PM charges and 11 courses (7 onsite and 6 online). For the FY18 and FY19, the proposed Paralegal Studies program will continue to offer one certificate, with one PM charge and nine unique courses.

While the new program is projected to return similar net revenue as the old one (based on similar enrollments) enrollment is likely to be much higher than projected since the program will be refreshed and on the pathway to LLLT (and ABA) approval. This is supported by the large number of students who express interest and sometimes apply, but do not enroll, likely in part due to the status of the program. Furthermore, this refresh reestablishes our relationship with the Law School which has been in limbo for a number of years, develops a new advisory board, and aligns the classroom and online sections. These are all positives that provide for a stronger overall program and set us up for a pathway of future growth in this area. Version A of the budget shows the FY17 enrollments (33 students) while Version B shows FY 17 enrollments + 20% (40 students).<sup>11</sup>

Instructor salaries are standardized at \$5,000 per three (3) CEU course – which might result in some instructors leaving the program (but it does resolve the continuing program of exceedingly high instructor pay). Further cost-savings may be realized by the employment of paralegals (rather than attorneys) to teach the courses (something required by ABA anyway). See the attached budget for more details.

In FY20 and beyond, it might be necessary to consider adding an additional PM charge as the number of course offerings grows and the program becomes increasingly complex.

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<sup>10</sup> Robin is the Bar's youngest president to date.

<sup>11</sup> Course caps are currently set at 80 need to be lowered to 50 or 60 for a LLLT or ABA approved program to run successfully.

# **ATTACHMENT 9**

## **Certificate Program in Paralegal Studies (06-9116)**

2018-19 Program Snapshot prepared by Ben Starsky on 12/7/2017 for AP Director Malia Morrison

*The narrative portion of this snapshot (including these instructions) should not exceed four pages.*

*Data may be presented on additional pages.*

Program Website: <https://www.pce.uw.edu/certificates/paralegal-studies>

Program Launch Year: Onsite = Perhaps 1985; Online = 2006 (terminated in 2017)

### **1. Program Health at a Glance: (Just check one of these options. No further explanation is needed in this section.)**

\_\_\_ Generally Healthy

*This means that most of the following are true:*

- *The program curriculum is high quality and provides valuable knowledge and skills to students.*
- *The program produced net revenue in the most recent fiscal year.*
- *Course and instructor evaluations in the most recent offering/s are strong (3.5 or above).*
- *Student retention in the most recent offering/s of each program section is 80% or higher.*
- *The most recent program exit survey results are generally positive.*

\_\_X\_\_ Has a Significant Challenge/Challenge(s) - Needs / Is Expected to Need Significant Improvement

*This means that the program is experiencing significant challenges in one or more areas (curriculum, finances, instructors, applications, enrollments, student retention, competition, other), or the Program Manager foresees significant challenges occurring in the near future.*

### **2. History:**

#### **1. Brief (1-2 paragraphs) program description (not Web copy):**

The Paralegal Studies program trains students to become Paralegals in a modern law office. The curriculum is heavy on reading and writing. It is a very rigorous program taught by practicing attorneys. The program is unique from many of our other programs because of the content and length (12 courses over 4 quarters – see table below). The program is a fall start experience and students must move through the program in sequence. There are no electives, although many other paralegal programs offer electives and there is a lot of student interest. Demand for the program to be ABA approved has been documented for many years. Efforts are being made to achieve that status but it will be challenging and expensive.

<u>Fall</u>	<u>Winter</u>	<u>Spring</u>	<u>Summer</u>
Introduction to Law & Legal Process (3)	Civil Procedure & Litigation I (3)	Civil Procedure & Litigation II (3)	Business Law (online, 3)
Legal Research, Writing & Analysis I (3)	Interviewing & Investigation Technique (3)	Legal Research, Writing & Analysis II (3)	Litigation Specialties (online, 3)
Professional Responsibility & Ethics (3)	Law Office Procedures & Technology (3)	Contract Law (3)	Complex Litigation (online, 3)
9 CEUs	9 CEUs	9 CEUs	9 CEUs

2. Brief information about how/when the program began:

1985. It is our oldest programs with hundreds possibly thousands of alumni in the Puget Sound region.

3. Brief recent history from the past year that will provide help in understanding unique qualities of this program (instructor changes, recent curriculum modifications, application/enrollment, etc.):

Historically, the Paralegal Certificate program has performed well but in the last few years, it did not enroll at the same levels it once did. At the Program Manager's recommendation, the program has undergone an intense review (following PDRC approval) for significant program revisions. Instructor salaries were standardized to achieve long-term viability of the program.

The online program was terminated indefinitely. The onsite program was transitioned to a hybrid model (3 quarters onsite, 1 quarter online) and the curriculum was aligned with the expectations of the Washington State Bar Association (WSBA). This curriculum very closely models the expectations of the American Bar Association (ABA), so it is a step in the right direction. Finally, the relationship with the UW School of Law has been repaired and we now have a sponsorship MOU on file. The instructor team overall appears to receive good evaluation results and many of the instructors have taught for

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a number of years. A thoughtful evaluation of each instructor should be given and determination if or when new faculty should be hired into the program.

3. **Market Context:** *Briefly note significant changes in the market for the program. List the top 3-5 competitors, if any; include their delivery methods and pricing; highlight key differences from UW Continuum College.*

The program is at a major disadvantage as it is not ABA approved and this has been documented by previous PMs for many years. Individuals who complete the current program are not highly competitive job applicants and this problem compounds itself outside of Washington State because of the limited mobility/portability of the certificate we offer.<sup>1</sup> While this program should be LLT Approved by the beginning of 2018, this is only a half measure to ensure the program is competitive in the local market.

Edmonds, Tacoma, Highline and Spokane Community Colleges all offer ABA approved programs at price points that are similar to or lower than this program:

Tacoma Community College (onsite) – Tuition: \$5,500; Books: \$1,400

Edmonds Community College (onsite) – Tuition: Approximately \$5,000

4. **Challenges, Opportunities & Recommendations:** *For this program succinctly explain the challenges, provide your input about possible solutions, provide your input about possible opportunities, make recommendations and indicate action steps. As you provide your input, review the EPI data and reference it as relevant. Your input can address/incorporate the following topics areas as pertinent:*

1. Program price: The certificate is \$7,740. No increase is recommended for FY19.
2. Instructor hiring & instructor evaluations (for those with scores under 3.5) Judi Maier is typically the only instructor with scores under 3.5 and this has been addressed multiple times over the years. She has very high standards and demands a lot from her students.
3. Curriculum:
  - The program should continue pursuing ABA Approval – perhaps in late FY18 or early FY19. UWC<sup>2</sup> should be aware that there are upfront accreditation fees (\$2,500) a site visit (we must cover all costs) and an annual fee (\$1,250) to maintain accreditation if granted by the ABA.
  - A spring start for the program should be added with a slower pace. This could be accomplished by adding an additional section of two courses and sharing some courses with the fall cohort, as many courses in this program can handle over 60 students.

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<sup>1</sup> Enrollment Services reports that many students who have inquired about the program ask about ABA approved and do not enroll once they learn that the program is not accredited.

Students who begin in the fall could take the following *accelerated* sequence:

	Fall	Winter	Spring	Summer
Introduction to Law & Legal Practice				
		Interviewing & Investigation Technique		

Students who begin in the Spring would take this sequence:

	Spring	Summer	Fall	Winter	Spring	Summer
Introduction to Law & Legal Practice (Spring Start)						Interviewing & Investigation Technique (online)

The classes highlighted in red are what both groups would take at the same time. These classes were intentionally picked because the content and instructor can accommodate a class size greater than 60, if needed.

4. Delivery models: Classroom and online.
5. Student retention: Student retention is very problematic. This program is rigorous and many students are ill prepared for the level of reading and writing (even if they do not work full time). With an accelerated fall start and a slower-paced spring start we will be able to offer students the option to take only two classes at time. Further, if a student fails a course, we'll be able to offer them another chance to take it.
6. Program location changes: No changes recommended. Currently the program meets on the UW Campus.
7. Program marketing and outreach: No changes recommended.
8. Advisory board health and last meeting date: A new advisory board was assembled (including a representative from the UW School of Law) and met in November 2017. The Advisory Board was pleased with the new direction of the program and suggested ideas for high demand elective courses for eventual expansion of the program.
9. Expansion/scaling potential: Add second cohort to start in the spring. In the future, I'd like to turn some of the existing classes into electives and introduce a few more online electives. This approach will have to wait until our CRM system is operating with its full capabilities.

10. Additional recommendations: None.

**\* Are any courses in this program open to SCE? If yes, how significant is SCE for this program?**  
No, but I highly recommend the transition of some courses to SCE and the development of other specialized electives that are SCE.

5. PDF Data snapshot below: *If further explanation of EPI data is needed, please provide it below.*



PARA Data  
Snapshot.pdf



## **ATTACHMENT 10**

## UWC<sup>2</sup> Program Development Process for Certificates and Standalone Courses

The Program Development Process is designed to support the development of new certificate and standalone courses for UW Continuum College (UWC<sup>2</sup>) through a collaborative, cross-functional approach. The process comprises two parts: collaborative development of proposal elements and cross-functional review to guide the development process. New credit/non-credit certificates (except affiliated certificates) and standalone non-credit courses (including MOOCs) will be developed using this process.

The purpose of the Program Development Review Committee (PDRC) is to assist AP PMs/ADs to develop robust and well-researched proposals for new courses or certificate programs, and/or new iterations of existing programs. In addition to assisting development and reviewing new program proposals, when possible, the PDRC will also review existing AP programs to explore avenues for increasing capacity, suggesting alternative formats for delivery, and/or proposing innovations to improve student experience. Programs and/or proposals for new offerings brought to the PDRC will come from AP PM/ADs, AP Directors, or AP Senior Directors. In order to ensure a comprehensive wide range of views, data points and expertise, the committee team will comprise representatives from multiple areas of (UWC<sup>2</sup>), including Market Research, Marketing, Finance, Operations, Academic Excellence, and Academic Programs (SDs).

PDRC Monthly Meetings will be chaired by the IAP AVP. Each meeting will begin with a review of projects at two development stages:

Concept Stage – Concept briefs will identify an educational need in a sufficiently large size segment of our target market with a unique, relevant and compelling offering.

Design Stage – Program Design Proposals and Budgets will be further developed from approved Concept Briefs. Proposals will be based on a variety of sources and data to present an appealing, high-quality and sustainable offering for students based on the considerations outlined in the Appendix.

This review will be facilitated by the AP Senior Director of Program Development with the objective to make decisions about next steps. The remaining meeting time will be devoted to updates on the overall program development, program-line strategy topics, and as a venue for committee members in other areas to communicate ideas, reports and updates on other initiatives to support program development and management.

### Program Development Process

UWC<sup>2</sup>'s collaborative program development process has four stages:

1. Idea
2. Concept
3. Design
4. Implementation

#### 1. Idea

The first part of the development process begins with a PM/AD developing an idea for a new program or course in consultation with their director. Directors and SD of Program Development will endorse program ideas which have the most potential to move forward in the creation of a Concept brief.

## 2. Concept

Up to two months are given to the PM/AD to prepare a 2 to 3-page Concept Brief. The PM/AD is expected to meet individually with Research, Marketing, Academic Excellence, Program Development and Program Strategy committee members in advance of submitting their brief to discuss, solicit their assistance in gathering information needed and get their input for the concept brief.

A template of the components of the Concept Brief is outlined below:

Proposed Title/s:

Proposed Start Date:

PM:

Director:

Proposed Dept. Sponsor:

Type of Credit: (CEU, Graduate or Undergrad Credit)

Proposed Delivery Format/Location:

SMEs Consulted: (UWC<sup>2</sup> Staff/Dept. Faculty/Industry Advisors)

### 1. Program Overview

Brief Description of Educational Need

Initial High-Level Program Learning Outcomes Proposed

### 2. Target Audience

Targeted professions, levels and job roles

Skills and knowledge sets to be developed

Approximate size estimate of the local and national market for educational need

### 3. Student Value

Existing ways for students to obtain proposed learning through educational program substitutes

Concise examples of relevant competing programs (if any)

What is the proposed program student benefit vs. existing substitute and competitor offerings?

### 4. Portfolio Value

Do existing UW programs teach these skills and/or serve this audience?

Does this program complement any existing UWC<sup>2</sup> programs / avoid cannibalization?

Has a program in this field unsuccessfully launched or been sunset at UWC<sup>2</sup> in the past 5 years?

When the Concept Brief is ready, the PM/AD will send it to their Director for review and approval. The Director will forward the approved document to Erik Bansleben and Andy Hoover at least a week before the next regularly scheduled meeting. Committee members will review it prior to the PDRC meeting and

bring questions. The PM/AD and Director will be invited to answer committee member questions. The PDRC will then discuss in private, and make recommendations for next steps. A member of the PDRC will inform the PM/AD of decisions that were made by the committee to:

- approve to move forward to preparation of a Program Design Proposal and Budget
- request more study to support decision making
- recommend reframing or revising
- not recommend for further development

In instances where more study or reframing is needed, clear written feedback and direction will be given to guide the PM/AD by a member of the PDRC.

Informal discussions could occur during this stage with academic units. While formal pre-approval to ensure an academic sponsor has been identified should be part of the Design Stage (to increase likelihood of program moving forward before contacting a department), it may be beneficial to have some discussions with faculty and/or chairs about their interest/support of the program idea. Campus partners may also have leads for members of an advisory group.

### 3. Design:

If the concept is approved for further development, up to six months are given to the PM/AD to produce a 5 to 10-page Program Design Proposal and Budget. The proposal incorporates the content of uses the Concept Brief, with five additional sections.

The Program Design Proposal should be developed collaboratively with a wide variety of stakeholders. To get started, the PM/AD should:

- Continue discussions of the proposal with their Director.
- Schedule individual consulting meetings with PDRC member or designated subject matter expert from the following departments:
  - Program Development Director (if more consultation is needed)
  - Operations
  - Finance
  - Academic Excellence (to reach agreement on program format)
  - Marketing (if more consultation is needed)
  - Market Research (if more consultation is needed)
  - Program Strategy Senior Director (if more consultation is needed)
- Form and conduct meetings of an advisory group of relevant industry and academic experts, who will meet with the PM/AD to provide guidance in program design.
- PM seeks pre-approval from an academic department to determine which academic unit(s) will sponsor the program.

Following is a template for the Program Design Proposal with consultative partners for each section suggested in green text (see appendix for a guide to the consultative process).

**Proposed Title:** [SDs of AP, Marketing, Strategy]

**Proposed Start Term:**

Type of Credit: <CEU, Graduate or Undergrad Credit> [Program Management]  
Delivery Format: <Classroom, OL, Synch DL, EDGE> [Academic Excellence Recommendation]  
Proposed Location (if Classroom): Seattle or Bothell Campus, Bellevue, PSP or Other  
PM/AD:  
Director:  
UW SMEs Consulted: < UWC<sup>2</sup> Staff/UW Faculty>

Proposed Department Sponsor: [Program Management]

**1. Program Overview**

Brief Description of Educational Need  
Initial High-Level Program Learning Outcomes Proposed

**2. Target Audience** [Research, Enrollment Services]

**3. Student Value** [Marketing, Advisory Boards]

**4. Portfolio Value** [Program Strategy & Management]

**5. Program Design and Pricing** [Program Strategy]

**6. Curriculum Design, Delivery Method, Learning Experiences and Instruction** [Academic Ex]

**7. Program Operations** [Operations]

**8. Advisory Board** [ Program Management]

**9. Program Budget - Year 1 – 3 for online programs** [Finance]

When the Program Design Proposal and Budget is ready, PM/AD submits proposal and budget to their Director for review and approval. The Director will forward the proposal to the PDRC at least a week before a scheduled monthly meeting. Committee members will review it prior to the PDRC meeting and bring questions.

The PM/AD and Director will be invited to the next PDRC meeting to give to respond to PDRC member questions. After the PM/AD and Director depart, the committee will have a brief discussion about the proposal.

The PDRC will determine whether or not to move forward with the new offering. If there is a case where consensus is not reached, the AVP and AP Senior Directors will make the final decision. Decisions about proposals will be conveyed to the PM/AD and Director by the Senior Director of Program Development.

Proposals for programs/courses that were not moved forward may be resubmitted if feedback from the PDRC has been incorporated into the amended proposal. In this case, the Director will re-submit the proposal and the PM/AD and Director will be invited back to the PDRC meeting to answer questions from

the committee on the overall proposal and amendments. Decisions on revised proposals will occur in the same manner as new proposals.

#### 4. Implementation

If the approved course/program is being developed to serve a niche market, the AP PM/AD will follow the steps on pp. 18-27 of the "Certificate Program Development Guidelines Document T:\ PDRC\Program Development Resources to work with UWC<sup>2</sup> designated staff, instructors or faculty and advisory board to launch the program. A program landing page can be immediately set up in order to collect leads and the advisory group is expanded into an advisory board.

If the PDRC determines that the proposal has unique features and is differentiated from traditional AP courses/programs (for example, it has immediate scalability, innovative components, or is appropriate for a completely new kind of format) the committee may recommend that the PM/AD utilize a different funding/budget model and work with a broader team to implement the program. In this case, the proposing PM/AD will serve as Project Lead for the team, in consultation with a member of the Program Strategy team.

PM seeks final academic approval once the curriculum has been finalized and, optimally, when course instructors have been identified. Final approval needs to occur before the program/course becomes active.

#### APPENDIX

These questions and topics are provided to support conversations with the SMEs and PMs/ADs to develop ideas for the Concept Brief and Program Design Proposal. SMEs are encouraged to use their expertise and resources to help PM/ADs address the questions and develop an appealing, high-quality and sustainable offering. **THIS LIST IS NOT MEANT AS AN EXHAUSTIVE CHECKLIST THAT MUST BE FULLY ANSWERED BEFORE WRITING AND SUBMITTING THE PROGRAM DESIGN PROPOSAL AND BUDGET.**

#### Program Sponsorship

- Who will be the academic sponsor? Is there a reasons to consider multiple sponsors? Is there a reason to favor working with one academic sponsor over another?

#### Target Audience

Identify the Target Audience

- Describe the **professional group/population/persona** to be targeted. Who are the most likely students?
- **Identify skills** that graduates will have based on proposed curriculum. Which skills are typically aligned with the targeted job titles you have identified? Also consider **key words/phrases** associated with program.
- **Identify job titles** and top occupations of graduates with the identified skills.

Show sustainable and quantifiable market and/or employment demand

- **Summarize current and projected employment/job postings** in local/national market based on job title AND skills gained in proposed program.
- Analyze current employment market as well as **trends over time** (job counts by year).
- Identify **local employers** who have hired/continue to hire in those positions. Provide salary expectations and ranges.
- Consider factors driving applicable skill demand - new industries, disruption, innovations.

Estimate Prospect Demand

- **Gather advisory board feedback** on proposed program. Does the program align with needs in their companies? Would they hire these graduates? What gap is this filling from their perspective?
- **Evaluate value propositions** – do they align with career goals of students?
- There may be jobs for graduates of this program, but do you have enough evidence that seats will be filled? If not, consider running a student prospect demand survey. Alternatively, are their new mandates or disruptive industry change that will drive demand for the program content?

## Student Value

### Understand Competition and Unique Value

- Assess competitive **uniqueness** of program against others. Are we the first to offer this program?
- Identify the **key players/programs** in this and related fields. In the absence of the proposed program, how are these needs being met today?
- Describe any notable non-traditional competitors or substitute offerings that have emerged online (ex. Coursera, EdX, Online Blogs and Communities, Associations).
- List **distinguishing features** of program. What is different and/or better about the proposed program than these competitors?
- Does this program provide continuing education units toward an industry credential or exam?

### Program Recruitment and Promotion

- Are the value propositions strong enough to warrant development of a new program or enhancement of an existing program?
- Are there marketing challenges to create awareness and position program and if so, how do we address these?
- How will the advisory board and instructors be leveraged for promotion?
- Are there practical and effective ways to reach the target audience?
- Does the program development timeline and proposed launch indicate there will be a minimum of 5 months prior to start of the program to have a program web site launched?

## Program Design and Pricing

### Portfolio Value

- How is this market need already being met or could it be met via existing UWC<sup>2</sup> or UW programs?
- Does the program fill a gap in our existing offerings?
- Is the program title clear and does it fit well within our current portfolio?
- Is the program of special interest to an academic partner? If so, what benefits may be provided such as engagement of faculty, affiliation with fee-based degree, support of department's mission?

### Program Design and Pricing

- Is there any differentiation from similar programs launched in past 5 years that did not survive?
- To complete program design and be ready for launch, what are potential barriers or dependencies?
- Is the course/program designed in a way to maximize enrollment while not sacrificing quality?
- Does the program as designed appear to be repeatable for 3 or more years?
- What is the planned program and course pricing?
  - How does it compare to competitor and UW related programs?
  - Is it reasonable given salary rates for target audience and program value proposition?

## Curriculum Design, Learning Experiences and Instruction

- Potential Instructors Identified - Bio and Teaching Experience of (if any)
- What level of advisory board and campus partner engagement occurred in developing the plan?
- What delivery format is planned for the planned program? How was the format determined?
- Are the program outcomes clearly defined and compelling?
- How cohesive is the curriculum?

- What is the level, availability and engagement of the instructors and advisory board members engaged to drive program launch and interest?
- If the program requires new course technology that is currently not supported, has it been vetted and evaluated by the AE and IT teams?
- How might students be assessed?

#### Program Operations

- Are program operations staff resources available to support the program launch and management within the time available?
- Does the program conform to existing formats and cohort sizes? (if not, then is there sufficient time to develop any new procedures and train staff)
- Can the program be set up in EOS using standard fields and processes? (If not, then need additional time to document new procedures and train staff which could include Registration, Finance, AE and AP Ops)
- Is there space to run the program at PSP or Bellevue for the classrooms needed?
- Preliminary review of an Operations checklist

#### Financial Viability

- Does the budget include charges for:
  - Risk Opportunity
  - UW Overhead
  - Facilities
  - DLD/EDGE/Synch DL
  - Proper Program Management and Infrastructure Charges
  - Instructor Salaries and Benefits
- Has the cost of the initial development been taken into account? (ex. OL development, videography,...)
- Is the estimated enrollment number reasonable given the market need identified above?
- Is the breakeven low enough to give some cushion based on reasonable budgeted expenses?



# **ATTACHMENT 11**



**PROFESSIONAL &  
CONTINUING EDUCATION**  

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**UNIVERSITY *of* WASHINGTON**

**Paralegal Certificate  
Program Refresh Survey**  
**UW Alumni**  
June, 2017

**Questions?**

Sara Pearson, Market Research Consultant  
UW Professional & Continuing Education  
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## Background and Methodology

### Background

Given declining enrollment and industry changes, UWC<sup>2</sup> is considering refreshing the Paralegal Certificate. UWC<sup>2</sup> Market Research conducted primary and secondary research to assess demand for the updated Certificate program.

### Research Methodology

**Primary Research:** EO Market Research invited 4,209 UW alumni to complete an online survey to provide feedback about the proposed Paralegal Certificate program. Between May 4<sup>th</sup> and June 9<sup>th</sup>, 2017, a total of 165 individuals responded, representing a response rate of 3.9%.

UW Alumni with a Bachelor's degree from the following specific majors were invited to participate in the online survey and share their feedback: *Business, Criminal Justice (UW Tacoma), Economics, English, History, Law, Philosophy, Political Science, Psychology, Sociology/Social Work, International Studies, Communication, and Comparative History of Ideas.*

The following table shows the percent of responses and the response rates by each major sampled:

	Total sample	Actual survey responses	% of responses* (mult)	Response rate
Business	431	9	5.5%	2.1%
Criminal Justice - UW Tacoma	299	13	7.9%	4.3%
Economics	606	17	10.3%	2.8%
English	69	2	1.2%	2.9%
History	494	32	19.4%	6.5%
Law	513	39	23.6%	7.6%
Philosophy	220	3	1.8%	1.4%
Political Science	846	46	27.9%	5.4%
Psychology	401	12	7.3%	3.0%
Sociology/Social Work	72	4	2.4%	5.6%
International Studies	43	5	3.0%	11.6%
Communication	187	1	0.6%	0.5%
Comparative History of Ideas	190	5	3.0%	2.6%
Total	4051	165	125.5%	3.9%

\*Respondents can have more than one major; this total represents the % of responses, rather than the % of respondents and can therefore equal more than 100%.

**Secondary Research:** UWC<sup>2</sup> Market Research also conducted secondary research, including Labor Market analysis and gathering of existing program data, which is not included in this report.

## Summary of Findings

The following summary is based on 165 respondents who responded to the survey.

### Incidence of Paralegal education completion

- The majority of survey respondents have never enrolled (92.7%) or started but did not complete Paralegal education (2.4%). Only 4.8% of respondents are currently enrolled in or have completed Paralegal education.
  - Schools attended for Paralegal education included UWC<sup>2</sup> (3), Edmonds CC (1), Highline CC (1), Seattle Central and Kaplan College.

### Interest in pursuing Paralegal education

- **Interest in pursuing general Paralegal education among this population is limited.** Approximately one-third of all respondents (32.7%, n=49) are somewhat likely (12.0%), neutral (17.3%) or very likely (3.3%) to pursue Paralegal education within the next 3 years.
  - Advancing their career or gaining experience prior to Law School would be the primary motivators for pursuing paralegal education.
- **However, among those who are likely to pursue Paralegal education, interest in pursuing education to become a Limited Licensed Legal Technician (LLLT) is robust.** Overall, 61.2% of respondents indicated they were somewhat or very interested in an LLLT program.
  - Interested respondents indicated that an LLLT position would be an "opportunity for growth beyond paralegal" without having to go to Law school and it is a "more affordable" option.

*Respondents who were not likely to pursue additional Paralegal education did not complete the remainder of the survey. Therefore, the remaining results relating to program preferences and interest in the proposed program are **only among the 49 respondents** who had a likelihood of continuing their education. **Market Research advises caution when interpreting results from a small sample size as there are large margins of error associated with each response.***

### Program and school preferences (among those likely to pursue Paralegal ed)

- Nearly one-half of respondents (47.7%) would prefer a **hybrid classroom** approach if they were to pursue a paralegal studies program.
- **Online programs are perceived as equal or lower quality.** Almost one-half of respondents (45.5%) said they perceive online education as the same quality as a hybrid or traditional classroom. Alternatively, one-half (47.7%) said they perceive online education as lower quality. No respondents indicated they perceive the quality of online programs to be higher.
- **Awareness and willingness to attend was highest for UW Continuum College** (92.5% indicated they have heard of the school and would consider attending) followed by Tacoma Community College (30.8%). Other schools respondents would consider included Bellevue College, Seattle Central and North Seattle College.

### **Interest in pursuing UW Paralegal Certificate (among those likely to pursue Paralegal ed)**

- **Among the target population, interest in the proposed UW Certificate is strong.** Over one-half of those likely to pursue Paralegal education (59.5%) were somewhat (35.7%) or very (23.8%) interested in pursuing the LLLT-approved Paralegal Certificate at the UW. An additional 33.3% indicated they were neutral.
  - The top three appealing aspects of the proposed program were the association with the UW (75.0%), the possibility of continuing legal studies at UW Law School after completion of certificate (70.6%), and having an LLT-approved curriculum (57.1%).

### **Respondents who were somewhat interested, neutral, or very interested in the proposed UW LLLT Certificate (n=39) were asked several follow-up questions.**

- **Timing: Sooner is better than later.** More than one-third (40%) are somewhat or very likely to pursue this certificate within 3 years.
- **Offering a choice of courses from a larger curriculum pool is appealing.** Nearly three-quarters would be very (35.3%) or somewhat (38.2%) interested in pursuing if students could select courses from a larger curriculum pool and pursue a more specialized education.
- **ABA approval is also appealing.** Roughly one-half of respondents (55.9%) were either somewhat interested (23.5%) or very interested (32.4%) if the Paralegal Certificate was ABA approved.

### **Preference for UW versus other schools**

- **UW is a more appealing school choice for Paralegal education than other local schools.** Approximately one-half of respondents (52.8%) would pay more to attend UW than Edmonds CC and 44.4% would pay more to attend UW than Tacoma CC.
  - Reasons for being willing to pay more included the perception that a University is higher quality than a community college, UW's superior reputation, and the notion that UW is "simply the best."
- When asked specifically about the quality of education at UW compared to other schools, respondents gave many positive comments, including the following:
  - *"The quality of instructors and the pace of class is unmatched."*
  - *"The education and experiences offered at UW are more rigorous and complete than those similar opportunities offered at other schools."*
  - *"... the quality is much higher and the breadth of educational classes is unparalleled."*
  - *"UW has one of the most prestigious names and associations in the area and consistently provides unique and outstanding education."*
  - *"UW has a superior reputation, great connections, and a higher quality education."*
- Respondents are primarily employed in the government (14.0%), Legal services (11.6%) or education (9.3%) industries.
- The top three subject areas of the highest degree earned: Law, Society, and Justice (22.0%), Political Science (22.0%), and Criminal Justice (14.6%).

## Detailed Responses

Paralegals and Legal Assistants are trained in legal matters and perform tasks requiring knowledge of the law and legal procedures. Like lawyers, paralegals are employed by a law office or work freelance at a company or law office. However, paralegals are not allowed to offer legal services directly to the public on their own and must perform their legal work under an attorney or law firm. Paralegals may not give legal advice, set fees, appear as counsel of record in court, or sign court documents in a representative capacity.

**Are you currently enrolled in, ever been enrolled in, or have you completed education to become a Paralegal?**

Answer	Bar	Response	%
Yes, I have completed Paralegal education	■	6	3.6%
Yes, I am currently enrolled in Paralegal education	■	2	1.2%
Yes, I started but did not complete Paralegal education	■	4	2.4%
No, I have never enrolled in Paralegal education	■	153	92.7%
Total		165	100.0%






**Among those who have completed or are currently enrolled: At which school(s) did you pursue, or are you currently pursuing, Paralegal education or credentials? Select all that apply.**

Answer	Bar	Response	%
Edmonds Community College	■	1	12.5%
Highline Community College	■	1	12.5%
Tacoma Community College		0	0.0%
Everest College		0	0.0%
UW Continuum College (formerly UW Educational Outreach)	■	3	37.5%
Other (specify)	■	3	37.5%
Total		8	100.0%

**Other (specify)**

Seattle Central College cont ed  
Kaplan College in Dallas, Texas

**Among those who have not completed Paralegal education: How likely are you to pursue, or continue, education in Paralegal studies within the next 3 years?**





Answer	Bar	Response	%
Not at all likely		71	47.3%
Not likely		30	20.0%
Neutral		26	17.3%
Somewhat likely		18	12.0%
Very likely		5	3.3%
Total		150	100.0%

***Those who were not at all likely or not likely to pursue Paralegal education did not complete the remainder of the survey. Only those who were very likely, somewhat likely, or neutral in their intentions to pursue Paralegal studies (n=49) within the next 3 years continued.***




**What is your primary motivation for wanting to pursue a Paralegal studies program?**

Likelihood of pursuing in next 3 years	Text Entry
Very likely	Career / Experience
Very likely	Experience prior to law school and experience within a law firm
Very likely	Law career
Somewhat likely	employment opportunities.
Somewhat likely	Has similar skills to my major in History.
Somewhat likely	specilized skills needed in addition to Criminal Justice degree
Somewhat likely	To advance my career, I work in Title Insurance
Somewhat likely	New career options
Neutral	I have an interest in the field of law and I am currently considering applying for law school. If I were to explore alternatives, I would consider going further and going into the LLLT program.
Neutral	Personal interest in paralegal field; desire to expand skill set
Neutral	If law school doesn't pan out.
Neutral	Career goals
Neutral	Friends have told me I would be good at it.
Neutral	None. I rather go to Law School.
Neutral	Plan B for a career move

If you were to pursue a Paralegal studies program within the next 3 years, which of the following delivery formats would you prefer?

Answer	Bar	Response	%
Classroom only		8	18.2%
Online only		8	18.2%
Hybrid approach - some classroom, some online		21	47.7%
Unsure		7	15.9%
Total		44	100.0%

What is your perception of an "entirely online" Paralegal program? Do you think of the quality as "higher," "lower" or "about the same" as a classroom based or hybrid program?

Answer	Bar	Response	%
Online is higher quality		0	0.0%
Online is about the same quality		20	45.5%
Online is lower quality		21	47.7%
Unsure		3	6.8%
Total		44	100.0%



*Those who have already completed or are currently enrolled, as well as those with no experience in Paralegal education were asked their interest in becoming an LLLT.*

Traditionally, there have been two primary roles for those in the legal profession: Lawyers and Paralegals/Legal Assistants. However, within the last five years, a new legal role has emerged called the Limited License Legal Technician (LLLT). Washington State was the first to create the LLLT role, which allows non-attorneys with core legal education to assist and advise clients in certain practice areas. LLLTs are able to consult and advise, complete necessary court documents, help with scheduling and support clients in navigating the legal system.

**How interested would you be in pursuing additional education to become a Limited License Legal Technician (LLLT)?**

Answer	Prior Education		No Prior Education		Total	
	Response	%	Response	%	Response	%
Not at all interested	2	33.3%	3	7.0%	5	10.2%
Not interested	1	16.7%	1	2.3%	2	4.1%
Neutral	1	16.7%	11	25.6%	12	24.5%
Somewhat interested	1	16.7%	17	39.5%	18	36.7%
Very interested	1	16.7%	11	25.6%	12	24.5%
Total	6	100.0%	43	100.0%	49	100.0%

## Why is that your level of interest in becoming an LLT?

Interest in LLT	Text Entry
Very interested	Pursuing law career
Very interested	Law school is not a cost effective option
Very interested	I would just feel more useful if I didn't want to continue on as a Paralegal or Lawyer.
Very interested	It's a new option with the potential to more easily self direct my focus
Very interested	Very interested in legal studies
Very interested	More direct impact
Very interested	More affordable
Somewhat interested	It would be interesting to learn about and train for a job that is relatively new to the field
Somewhat interested	Law school is very expensive
Somewhat interested	Working for underserved populations in family law is important to me; it would also be good exposure/experience in the legal world to expand my skill sets and experiences
Somewhat interested	opportunity for growth beyond paralegal without the required JD.
Somewhat interested	I am not sure that I could afford to go to law school, but would like more training than paralegal training.
Somewhat interested	I enjoy the collaborative aspect for advisory roles
Somewhat interested	I want to be an attorney. I work as a Legal Assistant currently and the market is very low in pay.
Somewhat interested	Any new opportunity to apply my skills is welcome.
Somewhat interested	My current degrees from UW are useless
Neutral	not sure of this job
Not interested	If I were to pursue a career involving law, I would prefer to have a formal law degree/full qualifications.
Not interested	not interested in practicing family law, intend to enroll in law school
Not at all interested	Not an area of interest of mine.
Not at all interested	Lack of internships and clinicals to provide graduates with practical work experience.
Not at all interested	I'm rising 1L and will be attending law school in the Fall 2017. However, if I was in undergrad still, I would have been interested.

You mentioned that you may consider pursuing Paralegal education in the next 3 years. Below is a list of schools in the local area that offer Paralegal education. Please indicate your level of awareness and willingness to attend each, if you were to pursue additional education for Paralegal studies.

Question	I've heard of this school and WOULD CONSIDER attending	I've heard of this school but would NOT CONSIDER attending	I have not heard of this school	Response
Edmonds Community College	17.9%	56.4%	25.6%	39
Highline Community College	20.5%	61.5%	17.9%	39
Tacoma Community College	30.8%	53.8%	15.4%	39
Spokane Community College	5.3%	57.9%	36.8%	38
Portland Community College	10.5%	44.7%	44.7%	38
UW (Continuum College)	92.5%	0.0%	7.5%	40

If there are other schools you would consider attending for Paralegal studies, please list them here.

#### Text Entry

Bellevue College

Bellevue College, Cascadia College, WWU, Seattle Central, North Seattle

Bellevue College, Seattle University, Seattle Central

North Seattle College

SPSCC






Seattle University

UW Tacoma






UW Continuum College is considering creating an LLLT-approved Paralegal certificate program, in effort to meet the needs of students, potential clients and the legal industry. The Certificate would focus on the foundations of the legal profession in addition to providing courses within a legal specialty.

Graduates of the LLLT-approved certificate program would be fully qualified to work as a Paralegal and need no additional education to pursue a Paralegal job. Additionally, should they choose to further their law career, graduates of the certificate would be qualified to pursue the unique LLLT program at UW Law School to become a Limited License Legal Technician (currently the only LLLT program in the nation).

Overall, how interested are you in pursuing this LLLT-approved Paralegal Certificate at the UW?

Answer	Bar	Response	%
Not at all interested		1	2.4%
Not interested		2	4.8%
Neutral		14	33.3%
Somewhat interested		15	35.7%
Very interested		10	23.8%
Total		42	100.0%

How likely are you to pursue this LLLT-approved Paralegal Certificate at UW within the next 3 years?

Answer	Bar	Response	%
Not at all likely		1	2.9%
Not likely		2	5.7%
Neutral		18	51.4%
Somewhat likely		12	34.3%
Very likely		2	5.7%
Total		35	100.0%

**How appealing are each of the following aspects of the proposed program?**

Question	Not at all appealing	Not appealing	Unsure	Somewhat appealing	Very appealing	Response
Association with UW	2.8%	0.0%	2.8%	19.4%	75.0%	36
Possibility of continuity legal studies at UW Law School after completion of certificate	0.0%	0.0%	2.9%	26.5%	70.6%	34
LLT-approved curriculum	0.0%	0.0%	14.3%	28.6%	57.1%	35
Length of certificate (4 quarters)	0.0%	2.9%	8.8%	35.3%	52.9%	34
Uniqueness of program - only one in the nation	5.9%	5.9%	14.7%	23.5%	50.0%	34
Specific class subjects proposed	0.0%	0.0%	17.6%	47.1%	35.3%	34
Cost of program	5.9%	17.6%	32.4%	14.7%	29.4%	34
Hybrid classroom and online delivery	0.0%	5.7%	11.4%	62.9%	20.0%	35

The cost to attend a Paralegal program at the two primary competitors in the local area is slightly lower, as both Tacoma Community College and Edmonds Community College offer programs ranging between \$5,500-\$6,000.

Would you pay more to attend the UW than these competitors, assuming program aspects such as curriculum and length were equal?

Question	Yes, I would pay MORE at UW than here	No, I would NOT pay more at UW than here	Unsure	Response
Edmonds Community College	52.8%	33.3%	13.9%	36
Tacoma Community College	44.4%	36.1%	19.4%	36

/ would you be willing to pay more at UW?

Text Entry

Association with UW

Because, quality.

Benefit of faculty associated with a large university / Law School, intermingling of students and resources, alumni connections and networking, location

Better name recognition outside of Seattle area

Better reputation and education

Closer to my house and I attended UW for mu undergraduate.

Credibility, I am familiar with the school and programs, and the possibility of continuing to UW Law

Its my alma mater and if the connection to enrollment in UW law school is proven, it seems that connection would be worth the extra cost.

More resources at University

Quality of Education and facilities

There is a perception that attending anything at UW, or anything at a university for that matter, is superior to any community college. Having the reputation of UW attached to anything is worth the extra cost because of the perceived value by employers.

UW has a reputation for a world class education and I believe it would give me an edge as a job applicant and added credibility to future clients



UW is simply the best, and I am not particularly fond of the areas where the other schools are located

UW legal progams, and law school have earned a national reputation for excellence.

UW on my resume

As mentioned in the description, students in the proposed Paralegal program would take three courses per quarter from a set curriculum. This ensures that all students who complete the Certificate meet certain standards and are equipped with similar legal knowledge. However, another approach is to have students choose courses from a larger curriculum pool, to allow a more specialized, less standardized legal education.

How interested would you be in pursuing the Paralegal Certificate if students could select courses from a larger curriculum pool and pursue a more specialized Paralegal education?

Answer	Bar	Response	%
Not all interested		0	0.0%
Not interested		0	0.0%
Neutral		9	26.5%
Somewhat interested		13	38.2%
Very interested		12	35.3%
Total		34	100.0%

The proposed UW Paralegal Certificate is LLLT-approved, but would not be ABA-approved. How interested would you be in pursuing the Paralegal Certificate if it were ABA-approved rather than LLLT-approved?

Answer	Bar	Response	%
Not at all interested		0	0.0%
Not interested		1	2.9%
Neutral		14	41.2%
Somewhat interested		8	23.5%
Very interested		11	32.4%
Total		34	100.0%

**Given what you know about other local schools, how would you describe the quality of education would receive at UW compared to other schools? Is there anything unique about getting an education at UW?**

### Text Entry

Incredible

Best quality, and diversity good people

Feel it would be superior at UW

Great education

I would say the quality is much higher and the breadth of educational classes is unparalleled

It is the best in the region

More credible, employers might be more familiar with the school's name and programs.

Prestige of instructors and the university in general

Q. 1. Quality is very good and simultaneously average to other ed institutions in Seattle. Q.2. UW is uniquely a rich kids school, and because of this fact, diversity cannot be achieved.

Teacher quality. Relationships are more focused and personal so you feel like the professor actually cares and it reflects back on your work.

The education and experiences offered at UW are more rigorous and complete than those similar opportunities offered at other schools.

The instruction at UW was better than other schools I have attended in WA.

The quality of instructors and the pace of class is unmatched. I have never met as many intelligent students and faculty having attended other colleges

UW classes tend to be bigger, less 1:1 with teachers, and somewhat more streamlined. For these reasons, UW is less appealing. UW's name recognition and affiliation with the Law School are positive and unique.

UW had more difficult courses but overall they were also of higher quality and presented a challenge to overcome.

UW has a superior reputation, great connections, and a higher quality education.

UW has great education when classes are small.

UW has one of the most prestigious names and associations in the area and consistently provides unique and outstanding education.

UW is a great school.

UW is an elite institution world wide. The other ones are community colleges.

UW offers access to the resources of a large research university, which is beneficial for the tenacious. However, it is also easy to get lost and overlooked in such a large corporation.



Please share any comments or suggestions you have about the proposed LLLT-approved Paralegal program at UW Continuum College. We'd love to hear why you are/aren't interested, what you see as the benefits of this type of program, or what you would change. Please be as specific as possible!

#### Text Entry

A part-time or evening option that allowed BA holders with full time jobs to pursue this opportunity would make it significantly more appealing.

Given my current location outside of Washington, if this were offered completely online I would be much more interested.

I am interested in a career in law, but am disappointed in the options available to me as a working, non-traditional student. I would like to stay in the loop as this program develops.

I love everything about the program. My only suggestion would be to make the program completely online for those who work and don't live close to the Seattle campus. With an all online program you can still implement ways to communicate with the instructor or set study groups if needed.

I would have loved this right after I graduated in 2013 however seeing as I'm now 25 years old I rather spend money on an LSAT course and take the LSAT and start attending law school I'm getting old and make no money.

I would love to see this branch out into criminal law, and other specialties, such as patent law.

I'm already working at a legal firm and would consider classes, but unless the whole course is offered online or at least as night courses there is no way for me to attend.

I've started on another career path and I'm not sure if I'd want to start over.

My hesitation to sign up for the program in the near future is the cost. If the program was financial aid eligible, then that would be even better.

Should be offered in tandem with a B.A. program, like Law, Societies, and Justice.
















Sounds like a great program! I am considering grad school. I have five children and am unable to be committed to a legal career at this time.

This program seems like a decently direct route to a career change that would offer both immediate employment or a bridge to further study. I don't feel I know enough about the legal job market to determine if the "uniqueness" of the program would be a help or a hindrance to employment opportunities. I would love to see specific partnerships with law firms that are actively hiring and looking for this certificate training to ensure this program would lead to employment opportunities.

This seems like a very interesting program that I would consider taking if other career options fall through. I like the hybrid of class and online time, as well as an opportunity to pick from a variety of classes to fit certain criteria.

UW does a terrible job at job placement effort, therefore investing in this program is a HUGE risk.

## Which industry area are you currently employed?

Answer	Bar	Response	%
Government		6	14.0%
Legal Services		5	11.6%
Other:		5	11.6%
Education or Education Services		4	9.3%
Full time student		4	9.3%
Unemployed		4	9.3%
Finance, Insurance, Real Estate		3	7.0%
Social Services & Nonprofits		3	7.0%
Transportation		3	7.0%
Media & Publishing		1	2.3%
Retail Trade		1	2.3%
Hospitality & Travel		1	2.3%
Business Services		1	2.3%
Art & Entertainment		1	2.3%
Computer & High Tech		1	2.3%
Total		43	100.0%


### Other:

Marketing and Communications  
Marketing  
Tribal School  
Retail










Please specify your current job title and the name of your employer.

Current Job Title	Company or employer
Associate Director of Program	University Washington
Server/Bartender	Roanoke Inn
Title Officer	Lewis County Title
Producer	Evia Events
Paraeducator	Chief Leschi
Mail Handler	United States Postal Service
Executive Assistant	Campion Advocacy Fund
Assistant Juvenile Counselor	DSHS
Outpatient Co-ordinator	UW Physicians
Assistant Account Manager	Sprague Israel Giles Insurance
Paralegal	Smith & Zuccarini, P.S.
Marketing and Communications Manager	Greg Anderson Painting
Digital Marketing Manager	
Front End Cashier	Fred Meyer
Board member	
Substitute teacher	
Legal Assistant	GLP Attorneys
Legal Assistant	
Eligibility & Resource Specialist	Hopelink
Volunteer Engagement Support Assistant	Seattle's Union Gospel Mission
Corrections Officer	South Correctional Entity
TSO	TSA
	US Department of State

Please indicate the highest level of education you have completed. *Select only one.*

Answer	Bar	Response	%
Bachelor's Degree		41	100.0%
Master's Degree		0	0.0%
Doctoral Degree		0	0.0%
Total		41	100.0%

What is the subject area of your highest degree?

Answer	Bar	Response	%
Law, Society and Justice		9	22.0%
Political Science		9	22.0%
Criminal Justice		6	14.6%
Other (please specify):		5	12.2%
History		5	12.2%
Business		2	4.9%
Philosophy		2	4.9%
Economics		2	4.9%
Psychology		1	2.4%
English		0	0.0%
Total		41	100.0%

Other (please specify):

Comparative History of Ideas  
 Communication  
 International Studies  
 Engineering

**When available, would you like to receive information about the proposed UW LLLT-approved Paralegal Certificate?**

Answer	Bar	Response	%
Yes		23	59.0%
No		16	41.0%
Total		39	100.0%

**Please provide your contact details to receive further program information. As a reminder, all contact information is confidential and will not be associated with your individual survey responses. Contact details will ONLY be used to send the requested information.**

First and last name	E-mail address	Mailing address
Alleza Laycock	allexalaycock@gmail.com	706 Union St. Apt 409 Seattle, WA 98101
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Taylor Brewer	taylorbrewer@gmail.com	270 NE ANNA RD, POULSBO, WA 98370

**Embedded Data Field: age**

Value	Response	%
18-24	42	25.5%
25-34	98	59.4%
35-44	15	9.1%
45-54	6	3.6%
55-64	3	1.8%
65+	1	0.6%
Total	165	100.0%

**Embedded Data Field: degree\_year (mult response)**

Value	Response	%
2013	62	37.6%
2014	53	32.1%
2015	57	34.5%
2016	44	26.7%

## **ATTACHMENT 12**

ARA 100 A  
Introduction to Law & Legal Practice  
Course type: Face-to-Face  
Taught by: Bruce Wiener  
Instructor Evaluated: Bruce Wiener-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 25/42 (60% high)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.6	7
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

<b>CEI: 5.3</b>
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
The course as a whole was:	25	52%	36%	12%				4.5	7	7
The course content was:	25	60%	24%	16%				4.7	8	8
The instructor's contribution to the course was:	25	64%	24%	12%				4.7	6	6
The instructor's effectiveness in teaching the subject matter was:	25	48%	36%	8%	8%			4.4	5	5

#### STUDENT ENGAGEMENT

Relative to other college courses you have taken:	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK	
										Inst	College
Do you expect your grade in this course to be:	25	4%	16%	28%	44%	4%		4%	4.5	2	2
The intellectual challenge presented was:	25	24%	52%	12%	12%				6.0	8	8
The amount of effort you put into this course was:	25	24%	32%	20%	24%				5.7	6	6
The amount of effort to succeed in this course was:	25	24%	28%	20%	24%			4%	5.6	6	6
Your involvement in course (doing assignments, attending classes, etc.) was:	25	24%	40%	12%	24%				5.8	6	6

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 7.3 Hours per credit: 2.4 (N=25)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
		32%	20%	32%	4%	8%	4%				

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 6.5 Hours per credit: 2.2 (N=25)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
	8%	36%	12%	28%		8%	4%		4%		

What grade do you expect in this course?

Class median: 3.3 (N=25)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 24%	Credit 4%	No Credit 8%
8%	20%	8%	16%	8%	4%									

In regard to your academic program, is this course best described as:

(N=25)

In your major	A core/distribution requirement	An elective	In your minor	A program requirement	Other
8%	4%			80%	8%



STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	25	52%	20%	28%				4.5	8	8
Clarity of instructor's voice was:	25	72%	12%	12%	4%			4.8	7	7
Explanations by instructor were:	25	56%	28%	12%	4%			4.6	7	7
Instructor's ability to present alternative explanations when needed was:	25	52%	32%	12%	4%			4.5	6	6
Instructor's use of examples and illustrations was:	25	64%	24%	8%	4%			4.7	7	7
Quality of questions or problems raised by the instructor was:	25	52%	32%	8%	8%			4.5	7	7
Student confidence in instructor's knowledge was:	25	72%	24%	4%				4.8	7	7
Instructor's enthusiasm was:	25	80%	16%	4%				4.9	7	7
Encouragement given students to express themselves was:	25	56%	32%	8%	4%			4.6	6	6
Answers to student questions were:	25	68%	24%	8%				4.8	8	8
Availability of extra help when needed was:	25	48%	20%	24%	8%			4.4	5	5
Use of class time was:	25	60%	28%	8%	4%			4.7	8	8
Instructor's interest in whether students learned was:	25	56%	36%	4%		4%		4.6	6	6
Amount you learned in the course was:	25	52%	32%	12%	4%			4.5	7	7
Relevance and usefulness of course content were:	25	72%	12%	16%				4.8	8	8
Evaluative and grading techniques (tests, papers, projects, etc.) were:	25	44%	28%	20%	4%	4%		4.3	6	6
Reasonableness of assigned work was:	25	60%	20%	16%		4%		4.7	8	8
Clarity of student responsibilities and requirements was:	25	44%	32%	16%	4%	4%		4.3	6	6

IRA 100 A  
Introduction to Law & Legal Practice  
Course type: Face-to-Face

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 25/42 (60% high)

Taught by: Bruce Wiener  
Instructor Evaluated: Bruce Wiener-Instructor

**STANDARD OPEN-ENDED QUESTIONS**

**Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?**

1. Yes, the class was very challenging and forced me to really dig into concepts in order to understand them. Lots of time and thought needed to be put into the materials.
2. Definitely. One of the assignments required me to develop analytical thinking skills, which was challenging but interesting. Bruce also asks questions that require several skills application. The questions are not always based on the material from the textbook, they are much more complicated. Students should think about the reasons for a particular rule to exist.
3. Yes
4. Yes.
5. Yes
6. Yes
7. Yes! Bruce encourages us to think critically; to have open class discussion/debate; engage; and to take a stance on a position regardless of the side you take, as long as you can back it up with an intellectual argument.
8. Yes, it challenged me without overburdening me.
9. Yes. This course covered material that I was not familiar with before, and I feel much more confident about it now.
10. Yes very stimulating, I learned a lot. It made me think in different ways.
11. Very valuable information. I felt I had to think hard.
12. Yes. Good hypotheticals
13. Very stimulating, so many interesting facts and vivid explanations.  
. Yes, it helped me understand legal thinking.
15. The class discussion were stimulating and Bruce's colorful stories and descriptions made it interesting. I don't know that it stretched my thinking but instead made me more aware of what a paralegal position would entail.
16. Yes. Covers a wide variety of topics and exposes the students, especially the ones that don't have legal experience, to the basics.
17. It did. Bruce is a master instructor. Engaging, clear, memorable.
18. Yes. I learned so much since this is a new field of learning for me. Each class was always interesting and engaging, and the material was presented in a way that was easy to understand.
19. Absolutely, completely different from any other area of study I've pursued.
20. The class was very intellectually stimulating, it stretched my ability to think analytically, deduce and parse out facts from large amounts of relevant and irrelevant information, and apply them in a logical and rational fashion to various situations. It is a difficult skill to learn, however, I feel as though I made progress.

**What aspects of this class contributed most to your learning?**

1. Lectures, assignments, and use of the Socratic method on students.
2. Assignments Lectures
3. Bruce talking in class and going over examples
4. In class lecture and examples.
5. Very interesting and engaging speaker that keeps students involved.
6. Nothing
7. see above, but in a nutshell-Bruce is the contributor
8. Class lectures.
9. The in-class lectures were helpful to clarify things, and professor would often use real-examples to apply what we were learning which made learning the material to be more accessible
10. His explanation of concepts and the examples he gives to illustrate the concepts.
  1. Procedures, standards, what not to do.
  2. Lectures
13. application to real situations in the class

14. Writing the Harry and the panther memo. It helped me to understand ways of questioning the different facets of a scenario, rather than taking it at face value.
15. It was very well organized and Bruce made sure we were all on the same track. No curve balls or surprised; very dependable.
16. The instructor and presentations
17. Lectures were interesting and entertaining. They made things "stick".
18. Thorough and helpful feedback on assignments; The instructor was very obviously experienced and knowledgeable in the field and passed that on to us with enthusiasm, and sometimes humor; the assignments were helpful in gaining some experience in what will be expected when we begin work in this field; all of the material presented was interesting and relevant.
19. Class discussion and instructor comments on assignments.
20. Applying methods like IRAC to situations from the text and the exam. Bruce Wiener's lectures are abundant in nature and he is proficient at applying the ideas to real-life situations.

#### What aspects of this class detracted from your learning?

1. We could have had clearer instructions for homework assignments. I felt as though if you weren't in class while assignments were being discussed, it wasn't easy to approach an assignment on your own. I would have preferred a grading criteria or even just a printout with instructions on it of exactly what is needed for the assignment. Bruce gave out great info on this during lecture, but myself and other students felt as though it would have been very helpful to supplement that with assignment sheets for each assignment showing what is required for it.
2. The textbook that is used is not very effective
3. Not having a midterm to see where we stand in the class other than assignment.
5. Expectations for assignments were not explicitly displayed.
6. Nothing
7. nothing
8. N/A
9. The lack of written definitions of words and concepts. It would have been helpful to have a PowerPoint. Or a written document (other than the book) to explain the professors definitions/ examples.
10. Certain learners thinking they are clever with their comments.
11. Some of the instructor's story-telling. Unclear expectations.
12. Poor students
13. need more breaks :)
14. I didn't like the book.
15. A lot of lecture (almost all lecture) and not as much class discussion.
16. None
17. I can't think of anything.
18. n/a
20. Because of the extensive nature of the material, it was difficult to get the feedback I could have used in a timely fashion. By the time I learned I was applying an idea and executing it incorrectly, we had moved on to entirely different material that was not related to the previous material. There was a disconnect in the instruction process.

#### What suggestions do you have for improving the class?

1. Mostly the issues mentioned in the above question. Bruce is a great lecturer, but I would have appreciated handouts regarding assignment requirements.
2. I would suggest to organize the material presented into a system. We were speeding in order to complete every chapter, I wish we had much time to study important aspects of the U.S. legal system - like constitutional law, for example, which was covered on the first class only.
3. Have a midterm that's worth more than the assignments
5. More examples of assignments that are expected.
6. All perfect
7. having this course twice/week :)
8. N/A
9. Similar to above, it would have been helpful to have a PowerPoint or some tool to help the students follow along with each concept. The book was helpful, but it is nice when professors have something written that helps the class follow along with the course as a whole.
10. I was pretty happy with the class presentation and after writing the final exam, I think we were adequately prepared.
11. Stay on topic.
12. Nothing
13. nothing really
15. More class/group discussions of some of the material. Otherwise it was great!
16. None
17. I can't think of anything.

18. it is great how it is!

20. To integrate the structure and material in the class so there's more continuity and the lessons build on themselves.



ARA 105 A  
Legal Research, Writing and Analysis I  
Course type: Face-to-Face  
Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 12/20 (60% high)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.5	7
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

CEI: 5.6
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
The course as a whole was:	12	42%	33%	17%		8%		4.2	6	6
The course content was:	12	58%	25%	8%	8%			4.6	8	8
The instructor's contribution to the course was:	12	50%	25%	8%		8%	8%	4.5	5	5
The instructor's effectiveness in teaching the subject matter was:	12	58%	17%	8%	8%	8%		4.6	6	6

#### STUDENT ENGAGEMENT

Relative to other college courses you have taken:	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK	
										Inst	College
Do you expect your grade in this course to be:	12		8%	42%	25%	17%	8%		4.5	3	3
The intellectual challenge presented was:	12	17%	50%	17%	17%				5.8	7	7
The amount of effort you put into this course was:	12	25%	42%	25%	8%				5.9	7	7
The amount of effort to succeed in this course was:	12	33%	33%	17%	17%				6.0	8	8
Your involvement in course (doing assignments, attending classes, etc.) was:	12	42%	42%	8%	8%				6.3	9	9

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 11.5 Hours per credit: 3.8 (N=12)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
			17%	25%	8%	17%	8%		8%	8%	8%

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 8.5 Hours per credit: 2.8 (N=12)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
		25%	8%	33%	8%	8%	8%			8%	

What grade do you expect in this course?

Class median: 3.2 (N=12)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 8%	Credit 8%	No Credit 8%
8%	17%	17%	17%	17%										

In regard to your academic program, is this course best described as:

(N=12)

In your major 8%	A core/distribution requirement	An elective	In your minor	A program requirement 83%	Other 8%
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STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	12	50%	33%	8%		8%		4.5	8	8
Clarity of instructor's voice was:	12	33%	50%	8%	8%			4.2	3	3
Explanations by instructor were:	12	17%	42%	17%	17%	8%		3.7	2	2
Instructor's ability to present alternative explanations when needed was:	12	17%	33%	33%	8%	8%		3.5	2	2
Instructor's use of examples and illustrations was:	12	33%	17%	33%	8%		8%	3.5	1	1
Quality of questions or problems raised by the instructor was:	12	8%	42%	33%	8%	8%		3.5	2	2
Student confidence in instructor's knowledge was:	11	73%		18%		9%		4.8	7	7
Instructor's enthusiasm was:	12	42%	33%	17%	8%			4.2	2	2
Encouragement given students to express themselves was:	12	25%	25%	17%	25%	8%		3.5	1	1
Answers to student questions were:	12	33%	17%	17%	25%		8%	3.5	1	1
Availability of extra help when needed was:	12	50%	17%	17%		8%	8%	4.5	6	6
Use of class time was:	12	58%	17%	17%	8%			4.6	8	8
Instructor's interest in whether students learned was:	12	42%	17%	17%	8%	8%	8%	4.0	2	2
Amount you learned in the course was:	12	33%	42%	17%		8%		4.1	4	4
Relevance and usefulness of course content were:	12	58%	25%	8%	8%			4.6	7	7
Evaluative and grading techniques (tests, papers, projects, etc.) were:	12	17%	42%	17%	17%		8%	3.7	2	2
Reasonableness of assigned work was:	12	17%	42%	17%	17%		8%	3.7	2	2
Clarity of student responsibilities and requirements was:	12	33%	25%	33%			8%	3.8	3	3

RA 105 A  
Legal Research, Writing and Analysis I  
Course type: Face-to-Face  
Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 12/20 (60% high)

**STANDARD OPEN-ENDED QUESTIONS****Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?**

1. Yes. It expounded on my legal research capabilities.
2. The content doesn't allow too much room for intellectual stimulation. This class provided the core writing elements necessary to be a successful paralegal.
3. Yes, the course was very challenging and the material rigorous. I learned a lot in the span of 10 weeks and felt like I learned the foundation of legal writing with Judi. The materials can be difficult to grasp and the process can be complex, but Judi was an effective teacher when it came to walking us through the steps of completing a legal writing assignment. I felt as though with the difficulty of the material, Judi did a great job considering.
4. Yes.
5. No. Students found that making educated guesses about Judi's process was more vital to a good grade than actually studying the content of the course. I found it to be an unfortunate distraction.
6. Yes. Being unfamiliar with law and legal writing was, and remains, a challenge, and this course challenged me without over-burdening me.
7. Yes. It went over topics I had not been familiar with.
8. Yes
9. Yes. I had to learn how to do legal writing that was much different than what I was used to.
10. Yes to both. It really pushed me to write clearly and succinctly. It was very challenging.
11. Yes. It was a new field of study for me so the learning definitely stretched my thinking.

**What aspects of this class contributed most to your learning?**

1. The content.
2. The citation exercises and writing the final memo
3. In-class group activities were engaging and helped me to see how other students are looking at this information; lectures were informative and that we worked on our homework assignments while in class was extremely helpful; Judi was happy to respond to emails and was very prompt in doing so, as well as with returning assignments.
5. While the assignments themselves didn't provide much value, they did help guide my personal study. For example, I frequently stayed late in the library or on Westlaw seeing how authors from secondary sources were able to extract elements from the primary case law. This didn't help my grade, of course, but it did contribute most to my understanding of the legal system.
6. In class work and all assignments.
7. The resources posted on canvas and the accessibility to ask questions via email.
8. Explanations
9. The assignments that slowly get more complex as the course progressed
10. I think the last class was most helpful, in which we were able to ask questions about our final memo and go over it in detail. We had to absorb so much info and learn many writing rules at once that it was helpful to have a Q&A session at the end.
11. The introduction to different resources and history behind them; the actual writing assignments and practice; the introduction to how to research in the legal field; the prompt and thorough feedback was also much appreciated and helpful

**What aspects of this class detracted from your learning?**

1. The lecturer's attitude whilst providing feedback on assignments. It was excruciatingly RUDE, in the strict sense of the word, for Judi to ask (on her feedback): "Do you ever listen in class?" That, I did not take kindly. I mean: I would be happy to garner my well-deserved zero points for missing a concept on my assignment, rather than be drawn to such verbal negligence on Judi's part. As a student, I pay to learn and not to engross myself in verbal exchanges with lecturers. I can as well be nasty if at all it was about competing to demean one another, but because of my level of professionalism and respect to Judi, I refrained. That should not be condoned in a professional academic climate that befits the stature of The University of Washington. Our/my interest as a student is to learn and get as much help from the lecturers. If for some reason a lecturer feels they can't humble themselves to help a student, then I fear for the future generations of students seeking to enroll in the program. That was not right.
2. I
- Instructions on assignments were at times difficult to understand, but once they were understood they were helpful.
5. The professor failed to make her requirements clear to the students. Judi told us that she'd be available for discussion, but whenever I asked for help she'd act like it was a burden. Answers to questions include: simply "no", "I told you in class", "you just didn't do it right". If I asked a clarification question, she'd scoff as if it were a personal attack to her teaching method that I didn't understand the concept. In our study groups, we'd often compare notes from these sessions only to find that the information provided wasn't consistent from student to student.



6. Work load and unfamiliarity with subject matter.

8. Nothing

9. Sometimes instructions weren't super clear

10. We received a lot of homework; more than the two other classes combined. I think the assignments could have been clearer, especially the memo assignments. She obviously spent a lot of time trying to make them clear, but I often found the assignments confusing when we were brand new legal writers. The colored memo assignment sheets were barebones, to be supplemented with our notes from class. Unfortunately, I found that taking notes in class was like sipping out of a firehouse; we moved through topics so quickly that I could hardly keep up.

11. N/A

#### What suggestions do you have for improving the class?

1. The attitude of the lecturer.

2. Having the class provide more examples of how they would write the, i.e. Issue Statement, would help when preparing for the memo. This would allow for more feedback in the classroom.

3. Judi did a great job providing us with feedback on our assignments and lecturing us as a whole. I appreciated her dedication to the class and her ability to be patient with such complex material with beginning students.

5. Step 1: Use class time + examples + activities to teach a specific research/writing skill. Step 2: Give us assignments that allow us to demonstrate our understanding of the research/writing skill. Step 3: Grade us accordingly and remedy poor grades by explaining the underlying concepts. This may seem pretty basic, but it isn't being done. For example, one in-class activity included forming groups and reading different cases to extrapolate case law. As expected, no student was able to accurately list the elements the first time around; typically overcompensating with an abundance of answers in hopes that they'd increase the odds of finding a correct one. Judi's solution to this was simply to give us the correct answers with no elaboration as to how the students could achieve the same result in our future careers.

6. Lighten the course work, if only slightly.

7. Having PowerPoints available online. I personally am able to follow along in class and understand the assignment. Then, when I come home to do the assignment I feel like I don't know what to do. Even when I look back on my notes I didn't feel 100% confident that I had the resources. Having PowerPoints available to students would be helpful to refresh our brains once we get home to actually work on the assignments.

8. Class was very interesting

9. None

10. Spend more time on the bigger picture. When discussing memos, explain why the organization of the memo matters; why each piece is important. Slow down, post powerpoints on canvas so we can listen in class without trying to write everything down.

11. It's great how it is!

ARA 105 B  
Legal Research, Writing and Analysis I  
Course type: Face-to-Face  
Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 14/22 (64% high)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.1	3
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

CEI: 6.4
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK Inst College
The course as a whole was:	14	43%	29%		14%	7%	7%	4.2	6 6
The course content was:	14	36%	50%	7%			7%	4.2	6 6
The instructor's contribution to the course was:	14	43%	14%		21%	14%	7%	4.0	2 2
The instructor's effectiveness in teaching the subject matter was:	14	29%	21%	21%	14%	7%	7%	3.5	1 1

#### STUDENT ENGAGEMENT

Relative to other college courses you have taken:	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK Inst College
Do you expect your grade in this course to be:	14		7%	21%	43%		7%	21%	4.0	0 0
The intellectual challenge presented was:	14	50%	21%	7%	21%				6.5	9 9
The amount of effort you put into this course was:	14	64%	29%		7%				6.7	9 9
The amount of effort to succeed in this course was:	14	64%	29%		7%				6.7	9 9
Your involvement in course (doing assignments, attending classes, etc.) was:	14	71%	14%	14%					6.8	9 9

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 9.3 Hours per credit: 3.1 (N=13)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
			8%	46%	15%	15%	8%		8%		

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 8.2 Hours per credit: 2.8 (N=13)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
	8%		31%	31%	8%	8%			8%		8%

What grade do you expect in this course?

Class median: 2.9 (N=13)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 23%	Credit	No Credit 8%
8%		15%	15%	15%	8%		8%							

In regard to your academic program, is this course best described as:

(N=12)

In your major	A core/distribution requirement 25%	An elective	In your minor	A program requirement 67%	Other 8%
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STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	14	50%	29%	7%	7%	7%		4.5	8	8
Clarity of instructor's voice was:	14	50%	7%	7%	21%	7%	7%	4.5	5	5
Explanations by instructor were:	14	21%	36%	7%	7%	21%	7%	3.7	2	2
Instructor's ability to present alternative explanations when needed was:	14	29%	7%	21%	21%	14%	7%	2.8	0	0
Instructor's use of examples and illustrations was:	14	29%	7%	36%	21%		7%	3.1	0	0
Quality of questions or problems raised by the instructor was:	14	43%	14%	21%	7%	7%	7%	4.0	4	4
Student confidence in instructor's knowledge was:	14	64%	7%	14%	7%		7%	4.7	6	6
Instructor's enthusiasm was:	14	57%	14%	7%	14%		7%	4.6	4	4
Encouragement given students to express themselves was:	14	36%	7%	14%	14%	14%	14%	3.0	0	0
Answers to student questions were:	14	29%	14%	14%	29%		14%	3.0	0	0
Availability of extra help when needed was:	14	57%	7%	14%	7%		14%	4.6	7	7
Use of class time was:	14	43%	14%	14%	29%			4.0	5	5
Instructor's interest in whether students learned was:	14	50%	14%	7%	14%	7%	7%	4.5	5	5
Amount you learned in the course was:	14	36%	29%	29%	7%			4.0	4	4
Relevance and usefulness of course content were:	13	54%	15%	23%			8%	4.6	7	7
Evaluative and grading techniques (tests, papers, projects, etc.) were:	14	21%	21%	21%	7%	14%	14%	3.2	1	1
Reasonableness of assigned work was:	14	14%	36%	14%	21%	7%	7%	3.5	2	2
Clarity of student responsibilities and requirements was:	14	43%		14%	14%	7%	21%	3.0	1	1

ARA 105 B  
Legal Research, Writing and Analysis I  
Course type: Face-to-Face  
Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 14/22 (64% high)

#### STANDARD OPEN-ENDED QUESTIONS

##### Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?

2. Yes it was very stimulating and helped me think in different ways I have never thought before.
3. Yes it was. Application of law and pithy writing.
4. Yes. Yes. I am very much used to science writing. Legal writing is an entirely different ball game.
5. Yes it is and it did stretch my thinking.
6. Yes. I gained a lot of knowledge about the legal field that I would never have learned otherwise in 10 weeks. I felt that every week I was being pushed to learn something new and challenging.
7. It was
8. This class was very intellectually stimulating, especially the content, which was very interesting. Judi made sure we stretched our thinking by having us do research outside of class and come to class with suggestions.
9. Yes, it was intellectually stimulating. Judi really pushed us to get a really solid grasp of legal writing. She gave us very specific instructions and had specific expectations. It was the most challenging class that I have taken, but it was absolutely the most valuable in showing me what I need to do to become an excellent paralegal.
10. Yes
12. Yes, the books were very intellectually stimulating. The interactive with fellow students and "field trip" assignments helped us think past the box. But the yelling and dumbing down of things like double spacing, justified v. left justified, fonts, underline, and other crazy things were just a waste of time in class that could have been done with a handout and less yelling. Also when cite questions have no examples it was more frustrating than stimulating.
13. The core elements and concepts in the class are very intellectually stimulating. I enjoyed being introduced to the practicality, consistency, and methodology of legal writing. My way of thinking was stretched through the introduction of the various formats used in the legal profession, to convey a variety of elements, principles and day to day facts. My way of thinking was also stretched through my multiple futile attempts to understand what Judith Maier expected of myself as a student.

##### What aspects of this class contributed most to your learning?

2. Excellent information as well as the instructor being available to help students anytime.
3. Writing a memo and brief, researching.
4. The writing assignments and the final memo.
5. Doing the assignments
6. Volume and intensity of work, attendance requirement, hands-on experience at law library, the skills taught.
7. Writing together in class
8. There were many different ways to gain the knowledge -power points, discussions, online tools, phone calls, etc.
9. I loved the citation PowerPoints and assignments; the library exercise; discussions in class- everything that Judi did for us was top-notch!
10. Writing in class
12. The use of Westlaw and ability to do research on it. The cite exercises were helpful, as long as there was a correct example to reference. Being told things that were wrong or didn't exist in the books and sources wasn't helpful. Building the memo piece by piece was an excellent and effective way to learn about the process of creating a memo.
13. The largest contributions to my learning came from the Legal Writing Handbook, the BlueBook, Westlaw and the reading of actual case files.

##### What aspects of this class detracted from your learning?

2. Sometimes instructions/expectations were unclear.
  3. nothing really
  5. The amount of assignments to do in the given time frame considering we have other classes and full time jobs.
  6. Instructions were sometimes hard to follow. Working on assignments in-class without being able to prepare in advance, while being timed and then being expected to present our answers. It was a lot of pressure.
- Many homework assignments

8. There were a few times when one answer would be given in class, but then a different answer was noted on the paper that week. The grading for the written work was harder than expected and I felt some of the points deducted should not have been for various reasons. For example, a suggestion during a class discussion was to include "preach of clause" in a list, but Judi said it was too specific; when I received my paper that week she suggested I use breach of clause was a reason. It was confusing.

9. Stress

10. No

11. The method of teaching.

12. \*Trick questions in the final test that could have been true or false and two that were actually none of the options of answers \*Judi yelling on class was horrible. She wasn't mad, she just wanted to drill in points that anyone with a college degree (everyone in class) knew about writing. \*Vague answers to questions about assignments. \*specifically being told not to look at one case and to "keep searching" which took hours of reading remotely related cases, only to have her say in the following class that that case was fine, that she thought it might be too difficult for students to understand. \*Getting marked down for not wording something how Judi would word it, while including all important facts and grammar details.

13. My instructor, Judith Maier, was the largest detraction from my education. She presented everything in the course, from the placement of a comma to grade deciding work, with the same authoritative intensity delivered in a 3-hour monologue. Questions were often answered in a degrading and contemptuous manner. She veered from the mannerisms of the helpful teacher to drill sergeant with startling regularity, and it was made very clear early on that favorites had been chosen.

#### What suggestions do you have for improving the class?

1. She needs to change her attitude to her students and stop being discouraging to students. It is so rude to students when she commented on the assignments. She needs to learn how to respect students.

2. Giving examples of past students work/assignments that achieved a high grade to know what the expectation is because there were times the book did not correlate with the instructor, making some assignments confusing.

4. Clearer explanations of requirements for Project E,F,&G.

5. I would just diminish the amount of tasks to do, or combine certain tasks. It is very hard to keep up with such a rigorous work load when working full time and attending classes.

6. Simpler instructions, but as paralegals, we have to be able to endure lots of complicated paperwork.

7. Less homework

8. Just a little more clarity at times, but otherwise it was a very well done class.

9. Judi is excellent and I could not be more thrilled with this program. Judi has given me the best tools for my career and I am so grateful that she is teaching us.

10. Nothing

11. More clarity on assignments. Looking at a broader goal and then focusing down to specifics.

12. If Judi is going to offer a format guide, taking away points for following it exactly is wrong. Also, marking students down for things you haven't taught is also wrong. Judi often contradicted herself about different topics, she's a nice person, but not the best instructor.

13. Replace Judith Maier with a Professor that is knowledgeable in the field of legal writing, AND who also has a desire and ability to teach. Judith Maier is quite obviously skilled in the legal profession, she should retire from instructing and use her newly found free time to take up a hobby, like destroying the dreams of Special Olympic hopefuls.

ARA 110 A  
Professional Responsibility and Ethics  
Course type: Face-to-Face  
Taught by: Hina Arai  
Instructor Evaluated: Hina Arai-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 26/42 (62% high)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
3.9	2
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

CEI: 4.3
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK Inst College
The course as a whole was:	26	31%	31%	27%	12%			3.9	3 3
The course content was:	26	27%	35%	31%	8%			3.8	3 3
The instructor's contribution to the course was:	26	31%	31%	31%	8%			3.9	2 2
The instructor's effectiveness in teaching the subject matter was:	26	23%	42%	27%	8%			3.9	2 2

#### STUDENT ENGAGEMENT

Relative to other college courses you have taken:	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK Inst College
Do you expect your grade in this course to be:	26	12%	38%	27%	23%				5.5	7 7
The intellectual challenge presented was:	26		15%	50%	31%	4%			4.8	1 1
The amount of effort you put into this course was:	26	19%	31%	8%	38%	4%			5.5	5 5
The amount of effort to succeed in this course was:	26	4%	27%	23%	38%	8%			4.7	1 1
Your involvement in course (doing assignments, attending classes, etc.) was:	26	15%	50%		35%				5.8	6 6

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 5.5 Hours per credit: 1.8 (N=26)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
	8%	42%	27%	12%		4%	8%				

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 4.8 Hours per credit: 1.6 (N=26)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
4%	23%	35%	23%	8%	4%		4%				

What grade do you expect in this course?

Class median: 3.5 (N=26)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 31%	Credit	No Credit
12%	31%	23%	4%											

In regard to your academic program, is this course best described as:

(N=26)

In your major	A core/distribution requirement	An elective	In your minor	A program requirement	Other
4%	12%			81%	4%

STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	26	23%	54%	15%	8%			4.0	5	5
Clarity of instructor's voice was:	26	50%	23%	23%	4%			4.5	5	5
Explanations by instructor were:	26	31%	35%	19%	15%			3.9	3	3
Instructor's ability to present alternative explanations when needed was:	26	35%	35%	15%	15%			4.1	4	4
Instructor's use of examples and illustrations was:	26	31%	31%	27%	12%			3.9	2	2
Quality of questions or problems raised by the instructor was:	26	27%	38%	35%				3.9	3	3
Student confidence in instructor's knowledge was:	26	38%	35%	19%	8%			4.2	2	2
Instructor's enthusiasm was:	26	46%	38%	15%				4.4	3	3
Encouragement given students to express themselves was:	26	50%	35%	15%				4.5	5	5
Answers to student questions were:	26	27%	35%	27%	12%			3.8	2	2
Availability of extra help when needed was:	25	36%	36%	20%	8%			4.1	3	3
Use of class time was:	26	31%	15%	42%	8%	4%		3.4	2	2
Instructor's interest in whether students learned was:	26	50%	27%	23%				4.5	5	5
Amount you learned in the course was:	26	38%	31%	31%				4.1	4	4
Relevance and usefulness of course content were:	26	46%	23%	23%	8%			4.3	5	5
Evaluative and grading techniques (tests, papers, projects, etc.) were:	26	35%	38%	23%	4%			4.1	5	5
Reasonableness of assigned work was:	26	42%	42%	15%				4.3	6	6
Clarity of student responsibilities and requirements was:	26	50%	27%	23%				4.5	7	7

IRA 110 A  
Professional Responsibility and Ethics  
Course type: Face-to-Face  
Taught by: Hina Arai  
Instructor Evaluated: Hina Arai-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 26/42 (62% high)

#### STANDARD OPEN-ENDED QUESTIONS

##### Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?

1. Yes the class was stimulating. Hina did such a good job explaining and using examples
2. I don't think it needed an entire class
3. Yes. Because it made you apply ethics to real world scenarios.
4. Yes
5. interesting. good class discussions
6. The class was fine. I don't like the amount of class participation we had to do aside from volunteering twice which was fine.
7. Not really. The format of the class was pretty average.
8. Yes
9. Somewhat. The information was presented in a way that focused on a bit of everything, but not everything we learned was pertinent to the exams.
10. The information in the book and discussions in class were stimulating when the discussions evolved small groups, or the entire class. When an individual would be briefing us on a case, that wasn't stimulating.
11. Yes, instructor made a dry subject exciting.
12. Yes. It takes an area that has a lot of gray area and it simplifies it. Let us know what the main concepts that we were supposed to know.
13. This course was not necessarily stimulating but that is not due to Hina's teaching, rather the material covered. I felt as though it was fairly easy to grasp.
14. The course content felt obvious, but it was good to cover ethics in the field extensively. It didn't stretch my thinking too much, but I've been working in the field for a while.
15. It did not challenge me. Although an important aspect in the field of law; it is (should be) common-sense. I would have preferred an extra three credit hours in Bruce's class. I could have read the book from home and learned the information. Hina is a good teacher and she shows great enthusiasm; it's the overall content of the course that is lacking (in my opinion).
16. This class was stimulating because the subject matter is very applicable to the real world. Ethics play a big role in the professionalism of the legal field so learning how it affects us and how we can make wise choices is very helpful.
17. Yes, this is a new field of study for me so it was a way to expand our knowledge on the subject of ethics in law.
18. The class did stretch my thinking - but was also convoluted and confusing at times as you would think you understood a concept but then when you tried to review it with the professor they would give you a different answer than given to another student with the same question. I think that this was the professor's first time teaching, and that the professor maybe isn't suited to teaching.
20. This course was very informative. I would not say that it stretched my thinking, but it was interesting learning how the rules dictating professional ethics in the legal field emerged over time.
21. Yes, This class was intellectually stimulating, there were lots of [case] examples of different ways attorneys and paralegals interact and must use ethics in their daily lives. It involved critical thinking on how to apply the terminology, situations and hypotheticals as well as being able to analyse the cases presented. There was a lot of group activities in class which I felt helped cement the information and turn it into knowledge.
22. It was. It's a great fundament for future studying and working.
23. Yes. It was an exposure to the degree of professionalism that lawyers ought to conduct themselves.

##### What aspects of this class contributed most to your learning?

1. Making it fun! Hina's class was the only class that I felt I could have fun looking at cases instead of getting a bad grade
2. Case briefing
3. Presenting material and examples.
4. Book
5. preparing for presentation of cases
6. The material in the book
7. Presentations made by the instructor Good textbook
- Understanding the complexity of ethics in the legal profession.
9. Exams.
10. The small group work we did, where we would have a set of questions to discuss and answer as a group.



12. The book was very good. The discussion in class led by the instructor helped solidify and clarify any concepts
13. I liked the in-class group projects and thought our class participation grade was fair.
14. Reading cases.
15. Hina use of the socratic method
16. I like the hypothetical exercises in class. I also appreciated the explanations and real world applications that were given in class. That really made the material stick.
17. the case studies during class, like applying "what would be the right thing to do" in a given situation; the case discussions in class; the instructor asked good questions for us to think about.
19. I really enjoyed having two weeks that we had to deeply read the material to present to the class. I thought that this class overall was really good, with well thought out material.
20. I enjoyed the textbook that presented the cases on ethics and the class discussions that followed.
21. Hina. Hina was a very enthusiastic instructor. She expanded on the information we learned, used different styles (presentation, group activities, analytical exercises and discussion) to help us understand the material. She was very structured and organized which helped make sense of the material.
22. Examples, studies in groups.
23. Videos, and professional speakers.

#### **What aspects of this class detracted from your learning?**

1. The time. From 6-9 isn't very convenient when a person lives so far away.
2. Poor students
3. There were moments when the class got out of hand, because we were working in separate groups. This could be regulated more.
4. Nothing
5. very rule based, gets tiresome
6. Class mates talking over each other and scrambling for marks, the nerves associated with speaking in front of the entire class and class mates asking irrelevant questions just to make their voices heard.
7. Class format: students presented cases. It was difficult to understand every single person.
9. Class exercises.
10. The power points had too many words on them and were hard to keep up with. It was also boring at times to have a student "brief" us on a case, because most of the time it just seemed like they were reading it from the book.
12. Sometimes the readings were extremely long
14. People who obviously haven't read cases read them aloud verbatim to get class participation points.
16. The powerpoint slides were VERY content heavy. It was hard to get everything down. The textbook was nice but reading each case was tedious. If we were given a list of important cases to focus on instead of having to read every single case, that would have been much more useful and time-effective.
17. Some people were better prepared than others to present cases when it was their turn, so it felt like a waste of time when some of them pretty much just read from the book instead of summarized the case in their own words. Maybe in the future the instructor could be clearer about what is expected in order to get participation points.
18. The professor's uncertainty in applying the concepts.
20. It felt as though we could have spent more time discussing practical modern-day ethical concerns as less time listening to others read the book.
21. The speed at which we needed to take notes, Hina had a lot of slides with important information on them and sometimes we would have to ask her to go back to get the information down.
22. Sometimes inability to give clear answers to students questions
23. None

#### **What suggestions do you have for improving the class?**

1. Having more guest speakers. That was refreshing to see the connections in the real world, and the book/lecture.
2. Less power point heavy material
3. When students present cases, it would be helpful to have them write the facts that outline the case and answer the ethical questions on the board. Some students are very difficult to hear.
4. Everything was very good
5. nothing
6. I would not do as many group discussions
7. I would suggest Hina to raise the requirements related to the students that present cases or answer questions. Every presentation should be clear, as it contributes to the others students' knowledge. Hina accepts every answer, even if it is incorrect or incomplete.
9. Less information in classroom Powerpoint presentations.

10. Instead of expecting 10 people to all be knowledgeable on every case in a section, why not split it in half -5 people for the first 5 cases and 5 for the next 5. I think this would help people focus more on the content of the cases they were assigned, and lessen people "passing" on a case or just reading it straight from the book (which was so boring). Also, do full class discussions on the questions that review the chapter (not the cases, but the content) to involve everyone -or do more group discussions where a group turns in a paper with their answers or something. Less words on the power points as well -just give us Model Rule #s not the entire rule -too many words, plus we'd have to be more proactive in finding the info ourselves.

2. Some chapters that were more than a hundred pages had cases that we had to know for discussion. I felt that not all those cases were necessary, more so for the long chapters. Maybe for those especially long chapters the instructor can limit the number of cases and choose the ones that are particularly important.

13. I think in order to keep students more on task with the reading and the material, having one or two assignments throughout the quarter would help to keep students focused.

14. Be a little harder on the students. It was easy to come to class unprepared and expect to "wing it". I think there were students who shouldn't have passed.

16. Please find better uses of powerpoint slides. Piling all that content on it, doesn't really help student retain the information. Please slow down.

17. It definitely got better after the mid-term so maybe this is already resolved, but it was a little bit hard to know what was expected to study for that test. By the final, it was much clearer what our learning objectives were, so I felt much more prepared for that one.

18. I would recommend that a professor be chosen from a teaching background rather than a law background. It takes a really special skill set to impart knowledge to others no matter how well you know it. I have no doubt my professor was intelligent and competent in her field but as a teacher she was confusing and misleading on several occasions to the point it became detrimental to my ability to, for example, prepare accurately for the midterm. If this professor would like to continue teaching the course I would recommend that a course on teaching techniques be taken. Also, the class presentations were so fast that it was near impossible to get all of the info you needed. I had to resort to taking photos of the slides from her presentations and then going home at night after class and copying all the info down then. So I would really recommend that if all of that information definitely needed to be imparted that this class be made into a 2 quarter class rather than trying to get the professor to squeeze everything into one quarter.

20. More theoretical class discussions, especially focusing on modern technology and the implication it has on ethics in the legal realm.

21. I really enjoyed this class and Hina as an instructor. I would be happy to see her again as an instructor. I feel I learned a lot from her and this class. Only suggest I can think of is to have the participation assigned or spread out between more students in the beginning when the chapters are larger, so that all students get adequate material to discuss during the second participation when the chapters are more condensed.

23. None



PARA 115 A  
Civil Procedure and Litigation I  
Course type: Face-to-Face

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 14/33 (42% moderate)

Taught by: Bruce Wiener

Instructor Evaluated: Bruce Wiener-Instructor

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.7	8
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

CEI: 6.4
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
The course as a whole was:	14	57%	29%	7%	7%			4.6	8	8
The course content was:	14	64%	14%	14%	7%			4.7	8	8
The instructor's contribution to the course was:	14	64%	21%	14%				4.7	6	6
The instructor's effectiveness in teaching the subject matter was:	14	64%	7%	29%				4.7	7	7

#### STUDENT ENGAGEMENT

	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK	
										Inst	College
Relative to other college courses you have taken:											
Do you expect your grade in this course to be:	14		29%	14%	29%	14%	14%		4.2	1	1
The intellectual challenge presented was:	14	57%	36%	7%					6.6	9	9
The amount of effort you put into this course was:	14	57%	36%			7%			6.6	9	9
The amount of effort to succeed in this course was:	14	71%	29%						6.8	9	9
Your involvement in course (doing assignments, attending classes, etc.) was:	14	57%	36%		7%				6.6	9	9

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 7.9 Hours per credit: 2.6 (N=14)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
		7%	36%	36%	14%	7%					

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 7.2 Hours per credit: 2.4 (N=13)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
		23%	31%	31%	8%				8%		

What grade do you expect in this course?

Class median: 2.6 (N=14)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 36%	Credit	No Credit 7%
7%	7%		7%	14%	7%	7%	7%							

In regard to your academic program, is this course best described as:

(N=14)

In your major	A core/distribution requirement	An elective	In your minor	A program requirement	Other
21%	7%			71%	

**STANDARD FORMATIVE ITEMS**

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	14	50%	21%	7%	21%			4.5	8	8
Clarity of instructor's voice was:	14	71%	14%	14%				4.8	7	7
Explanations by instructor were:	14	64%	21%	14%				4.7	8	8
Instructor's ability to present alternative explanations when needed was:	14	64%	14%	7%	14%			4.7	8	8
Instructor's use of examples and illustrations was:	14	71%	7%	14%	7%			4.8	8	8
Quality of questions or problems raised by the instructor was:	14	50%	29%	21%				4.5	7	7
Student confidence in instructor's knowledge was:	14	86%	14%					4.9	9	9
Instructor's enthusiasm was:	14	79%	14%	7%				4.9	7	7
Encouragement given students to express themselves was:	14	64%	29%	7%				4.7	7	7
Answers to student questions were:	14	71%	14%	14%				4.8	9	9
Availability of extra help when needed was:	14	79%	14%		7%			4.9	9	9
Use of class time was:	14	71%	14%	7%	7%			4.8	9	9
Instructor's interest in whether students learned was:	14	64%	29%	7%				4.7	7	7
Amount you learned in the course was:	14	57%	21%	14%	7%			4.6	7	7
Relevance and usefulness of course content were:	14	79%	21%					4.9	9	9
Evaluative and grading techniques (tests, papers, projects, etc.) were:	14	50%	21%	21%	7%			4.5	7	7
Reasonableness of assigned work was:	14	50%	29%	21%				4.5	7	7
Clarity of student responsibilities and requirements was:	14	57%	14%	21%		7%		4.6	8	8

ARA 115 A  
Civil Procedure and Litigation I  
Course type: Face-to-Face

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 14/33 (42% moderate)

Taught by: Bruce Wiener  
Instructor Evaluated: Bruce Wiener-Instructor

#### STANDARD OPEN-ENDED QUESTIONS

##### Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?

1. Yes
2. Yes, I really enjoyed the class.
3. Yes. The class intellectually stimulating. I wouldn't say it stretched my thinking, but rather it increased my ability to understand the problems and situations, and my understanding of civil procedure, pleadings, and the rules.
4. We're taking in so much information in each lecture that I don't even feel like we have the bandwidth to consider whether or not it's intellectually stimulating!
5. Yes, one of the hardest classes I have ever taken (college included). The material is riveting but there is an endless amount that can be discovered in such a short time period.
6. Yes.
7. Yes, it was really hard though. It challenged me to do things I didn't think I could do yet. It is good to be pushed but then be able to succeed because the instructions were clear and the task was appropriate.
8. Yes-Bruce always encourages us to stretch our thinking. He knows each student; what they are capable of and if we are underperforming/not putting in the effort he will tell you. This is very effective and necessary, as it gives the students more drive to put in the effort they need to, and it weeds out the ones who will not succeed in the legal profession.
9. Yes it was. To be able to apply all that information on practical examples.
10. Very. The concepts are complex.
11. This class was intellectually stimulating, the content was relevant and expansive.

##### What aspects of this class contributed most to your learning?

1. All
2. Going over assignments early and making sure we understand it.
3. Reading the book and expanding on what we learned from our readings in class. I hate to admit it, but learning the manual way to calculate dates really contributed a lot in class to learning the time material. Bruce providing examples, personal experiences, and expanding on subjects to help us understand and him being willing to answer questions before and after class.
5. Bruce is in the top 2 or 3 instructors I have had throughout my career learning. He is knowledgeable beyond most if not all instructors. His lectures are engaging even when the material is as dry as a Texas summer. His willingness to assist struggling/all students is above no other.
6. In-class discussion.
7. Doing the pleadings myself after seeing numerous examples and talking about it a lot. I got the most out of actually drafting the pleadings. I also learn a lot from Bruce in his incidental teachings, the examples he gives are so relevant and stick with me. They are always helpful with regard to the work we are doing and explain key concepts in a way that is interesting and memorable.
8. The pleadings assignment. This assignment is brilliant. He gives us a few cases to chose from and has us write the complaint, answer, and either a counter or cross complaint; or 3rd party complaint. He prepares us with real examples of them but doesn't hold our hands in writing our pleadings. This is the perfect approach to effective learning; and what we will be doing in our careers. I feel very confident in this now.
9. Examples and illustrations from real life.
10. Learning about court rules
11. Referring back to the textbook and the rule books was good. They were great to have as a reference. Regarding the pleadings project and other important topics we had multiple at length discussions and Bruce took out the time to address the students questions.

##### What aspects of this class detracted from your learning?

1. No one
2. N/A
3. A lack of visual aids and demonstrations as compared to last quarter. Students sleeping in class. Irrelevant questions that were personal/work related in nature but not related to the subject matter we were learning. The majority of the class learning was focused on, or often returned focus to the pleadings paperwork/assignment and I feel like that was to the detriment of learning the material for the final.
5. The only negatives I take away from this class is that there is not enough time given to learn this material. Working a full time job with the amount of time allotted for this class is absurd. This class in and of itself could be a full time job; there is to little time to get a handle of the amount of material needed to fully grasp this subject. Allotting 30 hours is much to little for this material.

6. A tad unorganized in structure. This could be due to the recent shortening that I have heard this class received. There seemed to be a whirlwind of topics to cover that came across as disjointed in continuity.
7. Time limitations I would say was really the only problem. It takes practice to do some of the work and with such little time available, we don't get to practice using the rule books for example as much as I would have liked, which is no fault of Bruce's, it's just how the course is structured.
8. Myself. Court rules and jurisdiction, although important, can be a bit boring-even though Bruce's enthusiasm makes it as exciting as humanly possible. I should have put more effort in to reviewing each week's material.
9. A lot of information, wish there were more classes to cover it all.
10. None
11. This class was a very content rich class and so having just a 3-hour verbal lecture makes it VERY hard on the students to focus and catch every single thing down. Sometimes the students would ask off-topic questions and the discussion would go on in a tangent about something totally unrelated. So after when the class did go back on topic the student would lose their focus and not catch the relevant material.
12. Sometimes lectures would get off track, or difficult to follow. It would have been nice to have a more definitive outline of each class and a specific list of all the court rules that we needed to know for the exam. Although we had the syllabus with the rules listed, there were a lot more that we discussed in class and some that were listed that we never talked about. Overall, a more definitive list of rules that we needed to study would have been helpful.

#### What suggestions do you have for improving the class?

1. Don't have
2. More Assignments
3. More visual aids, an option to have electronic versions of the handouts, more whiteboards in the classroom so Bruce can utilize them, this quarter's room had less white boards and as he is teaching two classes next quarter it will be twice as difficult to follow him without the ability to visually see his examples and explanations in more detail. Last quarter the room had much more space for him to write, since he doesn't use technology. Mini-quizzes in class to test what we've learned would be helpful - like 10-20 minute quizzes every 2-3 weeks. (Self graded or ungraded would be fine.)
4. I think it's unfortunate that some of the content of this part of the course was shortened this year. It felt like between the amount of information the instructor needed to impart in the shortened amount of time, and the large unfamiliarity with the type of assignment we would be asked to do, we could have used an extra 2-3 weeks where we could have had more individualized focus with the instructor on drafting our main assignment and having more one-on-one review opportunities where the instructor had more time to give thorough critiques. Perhaps one of the other courses, like Ethics and Professional Responsibility, or Interviewing Techniques could be shortened so that this class could have more time while still keeping to the one year length of the certificate study.
5. MORE CLASS TIME! I would also suggest more smaller assignments, quizzes or just some kind of gauge throughout the course, so students can have a gauge to if we are fully understanding the subject material. Compared to undergrad this course has been much more comprehensive than anything I could have fathomed. Rubrics would be a great improvement as well to fully understand what is required on the single assignment.
6. A clear lay out of the progression of topics and how they would translated into an office day.
7. I am pretty happy with how this class is presented and I learn a lot from Bruce. I like his teaching style. If we had more time I would have liked to see past tests just so I have a clearer picture of what to expect but more so to see how we would need to use the content not just in a test but how such tasks would be presented to us at work. I feel that Bruce puts a lot of effort into the classes and I enjoy learning from him.
8. N/A-when Bruce retires, this program will lose the best professor for preparing paralegals to be successful.
9. Again I think more class hours should be given to this subject.
10. None- Bruce is wonderful!
11. It would be very beneficial for both the students and the instructor to create a outline or some type of lesson plan before class so there are guidelines and checkpoints that the class can keep track of. We tend to get behind or loose track of everything we should have covered. Also, use of the whiteboard or use of any other type of visual aid needs to increased during class. Bruce uses the whiteboard but not as often as student would like, just listening the information is difficult for most students.
12. Creating a class that is more organized and really highlighting on specific rules. Making a definitive outline for each class and making it clear as to what rules/concepts specifically are important to know would be helpful. Sometimes we as a class would get off track or begin to talk about other less-important things which made lectures sometimes difficult to follow or difficult to look back on notes because some rules were left unclear.

PARA 120 A  
Interviewing & Investigation Technique  
Course type: Face-to-Face  
Taught by: Steven Zwerin  
Instructor Evaluated: Steven Zwerin-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 16/33 (48% moderate)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.1	4
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

CEI: 4.0
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
The course as a whole was:	16	19%	56%	12%	12%			3.9	3	3
The course content was:	16	25%	44%	19%	12%			3.9	3	3
The instructor's contribution to the course was:	16	44%	44%	12%				4.4	4	4
The instructor's effectiveness in teaching the subject matter was:	16	38%	44%	19%				4.2	4	4

#### STUDENT ENGAGEMENT

	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK	
										Inst	College
Relative to other college courses you have taken:											
Do you expect your grade in this course to be:	16	25%	31%	19%	25%				5.7	7	7
The intellectual challenge presented was:	15		40%	7%	33%	7%	7%	7%	4.4	0	0
The amount of effort you put into this course was:	16		38%	19%	31%	6%		6%	4.8	2	2
The amount of effort to succeed in this course was:	16		25%	31%	19%	6%	12%	6%	4.7	2	2
Your involvement in course (doing assignments, attending classes, etc.) was:	16	19%	25%	19%	25%	6%		6%	5.2	2	2

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 4.7 Hours per credit: 1.6 (N=16)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
6%	6%	62%	19%	6%							

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 4.2 Hours per credit: 1.4 (N=15)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
13%	20%	47%	13%	7%							

What grade do you expect in this course?

Class median: 3.6 (N=16)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 19%	Credit 6%	No Credit
25%	25%	19%	6%											

In regard to your academic program, is this course best described as:

(N=16)

In your major	A core/distribution requirement	An elective	In your minor	A program requirement	Other
6%	6%			88%	



STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	16	25%	50%	19%	6%			4.0	5	5
Clarity of instructor's voice was:	16	31%	50%	12%	6%			4.1	3	3
Explanations by instructor were:	16	25%	50%	25%				4.0	3	3
Instructor's ability to present alternative explanations when needed was:	16	25%	50%	19%	6%			4.0	4	4
Instructor's use of examples and illustrations was:	16	38%	44%	19%				4.2	4	4
Quality of questions or problems raised by the instructor was:	16	19%	56%	19%	6%			3.9	3	3
Student confidence in instructor's knowledge was:	16	56%	31%	12%				4.6	4	4
Instructor's enthusiasm was:	16	56%	31%	12%				4.6	4	4
Encouragement given students to express themselves was:	16	56%	38%	6%				4.6	6	6
Answers to student questions were:	16	44%	38%	19%				4.3	5	5
Availability of extra help when needed was:	16	62%	31%	6%				4.7	7	7
Use of class time was:	16	19%	44%	19%	12%		6%	3.8	3	3
Instructor's interest in whether students learned was:	16	50%	38%	12%				4.5	5	5
Amount you learned in the course was:	16	25%	44%	12%	12%	6%		3.9	3	3
Relevance and usefulness of course content were:	16	31%	50%		12%	6%		4.1	4	4
Evaluative and grading techniques (tests, papers, projects, etc.) were:	16	38%	44%	12%			6%	4.2	6	6
Reasonableness of assigned work was:	16	56%	31%	12%				4.6	8	8
Clarity of student responsibilities and requirements was:	16	50%	31%	19%				4.5	7	7

PARA 120 A  
Interviewing & Investigation Technique  
Course type: Face-to-Face

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 16/33 (48% moderate)

Taught by: Steven Zwerin  
Instructor Evaluated: Steven Zwerin-Instructor

#### STANDARD OPEN-ENDED QUESTIONS

##### Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?

1. I feel like the greatest weakness of the course was the focus on corporate and workplace situations. Many of the students do not work as workplace investigators or will work as workplace investigators. I think the course would have been more helpful if the material connected to other aspects of law such as discovery and deposition.
2. Yes. The subject matter was foreign to me and I had to restructure how I approached situations and worked problems out. This class required you to think on your feet, and make choices thoughtfully. It also required you to look at a problem from all sides and seek out the through through detective work and reasoning.
3. I thought this class was really applicable and so a helpful part of the program. I thought the amount of course work was reasonable, and I appreciated the collaborative testing we did, as well as assignment work. I did think that perhaps there were some topics that could have been explained better, but it was difficult to communicate where the questions we had were when we were so unfamiliar with the subject matter.
4. I believe the content in the class could be much broader. The class mainly cover workplace investigations and interviews. This should be shifted toward interviews and investigations in a much broader aspect. I am taking this certificate program to be a paralegal in different types of law rather than only to be a Human Resources investigator.
5. Yes. Exactly what the course is, that is what we learned.
6. Yes, I have never done investigations and I learned a lot about how to go about them.
7. No, I was a bit disappointed. His final was FANTASTIC and VERY useful. However, I was disappointed that the material wasn't more challenging. It's not the fault of Steve; it's more so that I already have quite a bit of experience in interviewing etc...
8. Yes, it was stimulating. The mock interviews and group work, with feedback from Steve was helpful.
10. Yes. I understand more about investigating.
  1. Group work, practical style. Application of concepts.
  3. We went over a lot of the same information
14. This class was stimulating because it was about things I've never heard of
15. Yes, the class was intellectually stimulating and Steve did a good job of including interesting discussions throughout the class sessions. It allowed me to get a glimpse of how an investigation works and what the process is to complete a successful investigation.

##### What aspects of this class contributed most to your learning?

2. The in class activities. Getting to role play at what it would be like to be an investigator and completing interviews was very helpful and something I would have never seeked out on my own. I also really appreciated all of the handouts and the email/notification updates from Steve.
4. Class collaboration and instructor knowledge.
5. In-class practice.
6. The examples he gave in class.
7. The final project
8. The group work and mock interviews.
9. All
10. Practice interviews.
11. Conducting or being a part of interview projects.
13. The final
14. Going over interviews and having practice with interviews
15. The in-class discussions, participation activities, and the final project.

##### What aspects of this class detracted from your learning?

1. The book was written on a basic level and so a lot of it was either review, the book repeating itself from previous chapters or common knowledge.
2. Sometimes the class pace was much slower than I felt was necessary (not during role play scenarios, I never thought there was enough time during those, but I understand that they had to be brief to get through all of the material.)
4. too little homework and advanced projects.
5. A little confused on what we were to prepare from week to week.
6. People in class almost attacking others for having a difference of opinion.

7. Re-hashing the book info. I also felt that the book was middle school-level.
8. The reading didn't detract but it was basic information and common sense, so it didn't add a ton. Maybe some readings outside the book would be helpful as well -relevant cases or more investigation examples.
9. Nothing
10. None
11. It's hard to tell how one is doing without any kind of grade or score. Motivation also decreases.
13. Nothing
14. N/a
15. In-class lectures heavily relied on book content so sometimes felt repetitive in class.

**What suggestions do you have for improving the class?**

1. Find a different book that was written for a legal audience rather than a business owner.
2. A little more structure and outline in the class would improve it and also requiring the follow-up assignments instead of making them optional, sometimes I came to class and no one else had done the writing.
4. Rather than focusing only on workplace issues make this class all encompassing. If for example, depositions or interview techniques in a testimony were taught this class would be much more valuable. Many classmates I have spoken with are not planning on working in the employment field, having 10 weeks learning only about workplace harassment and discrimination is overkill.
5. Maybe a short Q and A for each weeks readings. Just to solidify before class.
6. Some of the work we did in class could have been done in a quicker manner. We could have saved some time occasionally with regards to certain tasks
7. Implement more of our final project. Also, if he can find a way to make up a "real-life" cases from the very beginning of the class that involves us splitting us into teams that we stay with the entire quarter-I think it would be a lot of fun and more useful. Steve could definitely do this. He is very intelligent and very much enjoyed him as a professor.
8. Instead of mock interviews with one or two people in front of the class, more small group interviews; they felt more effective because we all had a chance at forming questions and interviewing someone.
9. No suggestions
10. None
11. Grading helps students how they did on their homework, quiz or finals.
12. More interviews and discussion on more "grey area" topics
13. Learning more about investigation
14. Writing a investigation report in the beginning of the class. A full report for practice
15. I think the course would benefit from more thorough class lectures that went beyond the content of the book.

ARA 125 A  
Law Office Procedures & Technology  
Course type: Face-to-Face  
Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 15/33 (45% moderate)

**Overall Summative Rating** represents the combined responses of students to the four global summative items and is presented to provide an overall index of the class's quality:

Median	College Decile
4.8	8
(0=lowest; 5=highest)	(0=lowest; 9=highest)

**Challenge and Engagement Index (CEI)** combines student responses to several IASystem items relating to how academically challenging students found the course to be and how engaged they were:

<b>CEI: 4.7</b>
(1=lowest; 7=highest)

#### SUMMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK Inst College
The course as a whole was:	15	60%	27%	13%				4.7	8 8
The course content was:	15	53%	20%	27%				4.6	8 8
The instructor's contribution to the course was:	15	87%	13%					4.9	9 9
The instructor's effectiveness in teaching the subject matter was:	15	73%	20%	7%				4.8	8 8

#### STUDENT ENGAGEMENT

Relative to other college courses you have taken:	N	Much Higher (7)	(6)	(5)	Average (4)	(3)	(2)	Much Lower (1)	Median	DECILE RANK Inst College
Do you expect your grade in this course to be:	15	20%	27%	27%	27%				5.4	6 6
The intellectual challenge presented was:	15		47%	27%	27%				5.4	4 4
The amount of effort you put into this course was:	15	20%	27%	27%	27%				5.4	4 4
The amount of effort to succeed in this course was:	15	7%	33%	27%	33%				5.1	3 3
Your involvement in course (doing assignments, attending classes, etc.) was:	15	20%	47%	27%	7%				5.9	6 6

On average, how many hours per week have you spent on this course, including attending classes, doing readings, reviewing notes, writing papers and any other course related work?

Class median: 7.0 Hours per credit: 2.3 (N=15)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
			67%	20%	7%			7%			

From the total average hours above, how many do you consider were valuable in advancing your education?

Class median: 5.8 Hours per credit: 1.9 (N=14)

Under 2	2-3	4-5	6-7	8-9	10-11	12-13	14-15	16-17	18-19	20-21	22 or more
	7%	36%	43%		7%	7%					

What grade do you expect in this course?

Class median: 3.3 (N=15)

A (3.9-4.0)	A- (3.5-3.8)	B+ (3.2-3.4)	B (2.9-3.1)	B- (2.5-2.8)	C+ (2.2-2.4)	C (1.9-2.1)	C- (1.5-1.8)	D+ (1.2-1.4)	D (0.9-1.1)	D- (0.7-0.8)	E (0.0)	Pass 20%	Credit 7%	No Credit
20%	7%	20%	27%											

In regard to your academic program, is this course best described as:

(N=14)

In your major 7%	A core/distribution requirement	An elective	In your minor	A program requirement 93%	Other
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STANDARD FORMATIVE ITEMS

	N	Excellent (5)	Very Good (4)	Good (3)	Fair (2)	Poor (1)	Very Poor (0)	Median	DECILE RANK	
									Inst	College
Course organization was:	15	73%	20%	7%				4.8	9	9
Clarity of instructor's voice was:	15	80%	20%					4.9	8	8
Explanations by instructor were:	15	80%	13%	7%				4.9	9	9
Instructor's ability to present alternative explanations when needed was:	15	87%	13%					4.9	9	9
Instructor's use of examples and illustrations was:	15	80%	20%					4.9	9	9
Quality of questions or problems raised by the instructor was:	15	73%	27%					4.8	9	9
Student confidence in instructor's knowledge was:	15	73%	27%					4.8	7	7
Instructor's enthusiasm was:	15	73%	27%					4.8	6	6
Encouragement given students to express themselves was:	15	73%	27%					4.8	8	8
Answers to student questions were:	15	67%	20%	13%				4.8	8	8
Availability of extra help when needed was:	15	67%	27%	7%				4.8	8	8
Use of class time was:	15	47%	33%	20%				4.4	7	7
Instructor's interest in whether students learned was:	15	67%	20%	7%	7%			4.8	7	7
Amount you learned in the course was:	15	40%	40%	20%				4.2	5	5
Relevance and usefulness of course content were:	15	60%	13%	27%				4.7	7	7
Evaluative and grading techniques (tests, papers, projects, etc.) were:	15	33%	27%	20%	20%			3.9	3	3
Reasonableness of assigned work was:	15	47%	27%	13%	13%			4.4	6	6
Clarity of student responsibilities and requirements was:	15	53%	27%	13%	7%			4.6	7	7

PARA 125 A  
Law Office Procedures & Technology  
Course type: Face-to-Face

Evaluation Delivery: Online  
Evaluation Form: A  
Responses: 15/33 (45% moderate)

Taught by: Judith Maier  
Instructor Evaluated: Judith Maier-Instructor

### STANDARD OPEN-ENDED QUESTIONS

#### Was this class intellectually stimulating? Did it stretch your thinking? Why or why not?

1. Yes learned many applicable talents to add towards a future career
2. Yes. It allowed us to understand what will be expected in different offices.
4. It was filled with relevant information we will need to be able to do our jobs effectively. It did help me with the position I am currently in so I was happy with it.
5. The professionalism content came pretty naturally as I have been a front office administrator at a surgeon's office; and much of it goes hand-in-hand with the legal profession.
6. Yes, it was very stimulating. The content was diverse and Judi was very knowledgeable.
7. Yes, We discussed the the way that ethical obligations intersect with efficiently running a law office.
8. Great examples. Interactive. Informative. Wonderful guest lectures.
9. The class definitely made me think outside my box. I've never heard of half the information in the class before
10. Yes it was very practical
11. Yes, Judi's class was stimulating and interesting--she is extremely knowledgeable of the material and seems very excited to teach it to us. The Clio software she got for us to use was extremely helpful in my career as we use Clio at the law office I work at. Judi always pushes her students to do their best and challenges them with interesting and engaging assignments.
12. Yes

#### What aspects of this class contributed most to your learning?

1. lecture time
2. Most everything
4. Certain tasks we were asked to do but mostly just the content that was covered and explained.
5. Judi paying for us to have access/practice in Clio was above and beyond! She cares so much about her students and the amount of time she must have put in to designing/writing the content for this entire course; grading and giving a lot of feedback on assignments; and being on-call for questions outside of the classroom--well must have been close to another full-time job. Judi is a wealth of knowledge in professionalism; technology; and legal writing. She is amazing.
6. The Clio assignments. I wish we'd been more involved in Clio.
7. I loved learning about law office procedures, using the Clio software for hands-on experience, and reading/discussing cases. The reading materials that Judi prepared were excellent.
8. Information exchange was great, practical and to the point.
9. The different speakers. They work in those specific jobs so it's nice hearing from first hand experience
10. Reading cases, working on clio
11. In-class lectures were helpful in understanding the sometimes complex material we were reading outside of class, and I also enjoyed the guest speakers that Judi had come in to teach us about various technologies implemented within the legal community.
12. All

#### What aspects of this class detracted from your learning?

1. none
2. Some busy work
3. I felt that the grading was very very very subjective. There were times where I felt that my answer was similar to the model answer but I was still marked down. When I asked why I was marked down I felt that the reasoning was insufficient.
4. The amount of work we have to do each week detracts from my learning because it gets to a point where there is simply no time between work, kids and classes to do all the assignments to the best of my abilities. This is why some projects get rushed just to hand something in versus less projects that I could do more thoroughly with more time.
5. I could have gone without the case law reading assignments. I understand why they were implemented though and I'm certain they were very helpful to many.

6. I felt like the assignment expectations were not always homogeneous. One week I could give a simple answer to a simple question and I would be awarded full points; the next week I was expected to add more detail without being asked for more detail, so my simple answer to a simple question had points deducted. A minor complaint, but it was frustrating at times.
7. I can't think of anything that detracted from my learning.
8. Can't think of anything
9. Nothing
10. None
11. Some subject matter could be dry, but there's no escaping that in a technology course. :)
12. Nothing

**What suggestions do you have for improving the class?**

1. Add more computer based projects. While much was applicable if this class focused more towards word, excel, and other programs used on the job. It would be much more valuable to use this time to learn systems rather than theories.
2. It was great, but I think that a clearer progression of relevance and applicable duties would help.
3. spend more time on using programs and doing software demos in class. The class focused too much on ethics which we had just had a class in the previous quarter.
4. I would suggest fewer assignments, especially in the last two weeks when we have finals in all the classes as well as work and actual class to attend as well. It makes it impossible to study for two tests if you have a big assignment due the same week. Also more consistent grading.
5. N/A
6. More Clio work! It was nice to have experience working with a program that I could find in office. In class Clio work would have been nice. Maybe like a scenario that builds on itself each week, so we go through the process of a client starts to finish.
7. None- it was excellent!
8. Too much homework.
9. Posting the PowerPoints on canvas, A class about the dark web, and a field trip to the conference tech show
10. None
11. None.
12. No any suggestions:)

## **ATTACHMENT 13**



**Project – B: Elements of Service of Process**

**This packet contains the assignment's instructions, information about due process and service of process, and the client's file. You may find it helpful to print a copy of this information.**

**Assignment.** The **issue** is whether the service of process upon Ms. Richmond was valid. To provide an answer to your reader, you must first find the **rules** of law that apply. Here, one important **rule** is a Washington statute. Your task is to find the relevant statute and then determine its elements.

A statute defines a procedure that must be followed or establishes the rules for something. To determine whether the statute has been satisfied, the proponent must prove each element of the statute.

Remember that Washington state statutes are divided into:

Title  
Chapter  
Section  
Sub-section... and so on.

Thus, you are looking for a number something like: 3.14.090(13)

Where "3" is the title  
"14" is the chapter  
"090" is the section  
"13" is the sub-section.

Once you locate the service of process statute, you must determine which one of its many sub-sections applies to Ms. Richmond's case. To accomplish this, recall **exactly** how the process server served the summons and complaint. Then compare this to the sub-sections. Remember, no matter how much you wish, you cannot change the facts of Ms. Richmond's case now.

Once you have located the relevant sub-section, parse it into its elements. In other words, what things must be shown in order for the service to have been proper? List them, one element on each line, just as you did for the vehicle prowling statute.

Now, apply these elements to the facts of Ms. Richmond's case. What fact proves that an element is satisfied? Likely, you will find that one or more elements are satisfied by the facts and one cannot be determined because you likely do not know what it means. This is where you will need to focus your research. We will discuss how to do this in future classes.

**Goals.** This assignment is designed to help you to gain experience in

- finding a statute and the relevant sub-section,

<b>Richmond File</b>
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**Facts of the Case**

Our client, Julia Richmond, was involved in an auto accident. According to the police accident report and witness accounts, Ms. Richmond may have not seen a stop sign that she states was hidden by foliage and hit Tony Watson's car. Watson, through his attorney, has filed a lawsuit against Ms. Richmond and her insurance company.

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As you have learned, to begin the lawsuit, Mr. Watson must serve process on both Ms. Richmond and her insurance company. The service upon her insurance company has been properly accomplished.

But Ms. Richmond reports that while she was away on a business trip in Asia, the process server, Paula Marker, served the summons and complaint at her home on Kathy Berger.

Kathy Berger is the fourteen-year-old daughter of Carol Berger. Both Kathy and Carol Berger live with Ms. Richmond. Ms. Richmond stated she shares the residence with Carol and Kathy and that she is not related to either of them. She stated that Carol is frequently out-of-town on brief business trips, but Carol's daughter, Kathy, is usually at the residence because she attends a local school. Carol leaves Kathy at home alone, when she travels for brief business trips.

I have learned that Kathy is of average intelligence. Kathy is the head cheerleader at her high school where she is a freshman. She often takes the girls from a local Girl Scout troop on hikes. Kathy also passed a course on the U.S. Government in school; it contained several lessons involving the U.S. court system.

The statute of limitations ran on this action on September 24.

Notes: A statute of limitation places a time limit on the period in which a lawsuit must be filed. For example, in Washington, a personal injury (negligence) lawsuit must, under the statute of limitations, be filed within three years of the injury giving rise to the legal action. In Ms. Richmond's case, the statute of limitations has run, which means that the plaintiff, Mr. Watson, must have properly filed his lawsuit by September 24 or he has lost the legal right to bring the lawsuit. We know that Mr. Watson filed his lawsuit before September 24, but whether it was properly filed may be at issue. To properly file a lawsuit, you must have properly served all of the parties to it before the expiration of the statute of limitations. While Mr. Watson has properly served one of the parties, the insurance company, he may not have properly served Ms. Richmond, the other defendant. If he has not properly served Ms. Richmond, the lawsuit against her will be dismissed because it

Supreme Court of the United States

MULLANE

v.

CENTRAL HANOVER BANK & TRUST CO. et al.

No. 378.

Argued and Submitted Feb. 8, 1950.

Decided April 24, 1950.

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Common trust fund legislation is addressed to a problem appropriate for state action. Mounting overheads have made administration of small trusts undesirable to corporate trustees. In order that donors and testators of moderately sized trusts may not be denied the service of corporate fiduciaries, the District of Columbia and some **\*308** thirty states other than New York have permitted pooling small trust estates into one fund for investment administration.<sup>FN\*</sup> The income, capital gains, losses and expenses of the collective trust are shared by the constituent trusts in proportion to their contribution. By this plan, diversification of risk and economy of management can be extended to those whose capital standing alone would not obtain such advantage.

\* \* \*

In January, 1946, Central Hanover Bank and Trust Company established a common trust fund in accordance with these provisions, and in March, 1947, it petitioned the Surrogate's Court for settlement of its first account as common trustee. During the accounting period a total of 113 trusts, approximately half inter vivos and half testamentary, participated in the common trust fund, the gross capital of which was nearly three million dollars. The record does not show the number or residence of the beneficiaries, but they were many and it is clear that some of them were not residents of the State of New York.

The only notice given beneficiaries of this specific application was by publication in a local newspaper in strict compliance with the minimum requirements of N.Y. Banking Law s 100-c(12): 'After filing such petition (for judicial settlement of its account) the petitioner shall cause to be issued by the court in which the petition is filed and shall publish not less than once in each week **\*310** for four successive weeks in a newspaper to be designated by the court a notice or citation addressed generally without naming them to all parties interested in such common trust fund and in such estates, trusts or funds mentioned in the petition, all of which may be described in the notice or citation only in the manner set forth in said petition and without setting forth the residence of any such decedent or donor of any such estate, trust or fund.' Thus the only notice required, and the only one given, was by newspaper publication setting forth merely the name and address of the trust company, the name and the date of establishment of the common trust fund, and a list of all participating estates, trusts or funds.

At the time the first investment in the common fund was made on behalf of each participating estate, however, the trust company, pursuant to the requirements of s 100-c(9), had notified by mail each person of full age and sound mind whose name and address was then known to it and who was 'entitled to share in the income therefrom \* \* \* (or) \* \* \* who would be entitled to share in the principal if the event upon which such estate, trust or fund will become distributable should have occurred at the time of sending such notice.' Included in the notice was a copy of those provisions of the Act relating to the sending of the notice itself and to the judicial settlement of common trust fund accounts.

Upon the filing of the petition for the settlement of accounts, appellant was, by order of the court pursuant to s 100-c(12), appointed special guardian and attorney for all persons known or unknown not otherwise appearing who had or might thereafter have any interest in the income of the common trust fund; and appellee Vaughan was appointed to represent those similarly interested in the principal. There were no other appearances on behalf of any one interested in either interest or principal.

**\*311** Appellant appeared specially, objecting that notice and the statutory provisions for notice to beneficiaries were inadequate to afford due process under the Fourteenth Amendment, and

## Legal Research & Writing

to its fiduciaries to a final settlement can be served only if interests or claims of individuals who are outside of the State can somehow be determined. A construction of the Due Process Clause which \*314 would place impossible or impractical obstacles in the way could not be justified.

Against this interest of the State we must balance the individual interest sought to be protected by the Fourteenth Amendment. This is defined by our holding that 'The fundamental requisite of due process of law is the opportunity to be heard.' Grannis v. Ordean, 234 U.S. 385, 394, 34 S.Ct. 779, 783, 58 L.Ed. 1363. This right to be heard has little reality or worth unless one is informed that the matter is pending and can choose for himself whether to appear or default, acquiesce or contest.

The Court has not committed itself to any formula achieving a balance between these interests in a particular proceeding or determining when constructive notice may be utilized or what test it must meet. Personal service has not in all circumstances been regarded as indispensable to the process due to residents, and it has more often been held unnecessary as to nonresidents. We disturb none of the established rules on these subjects. No decision constitutes a controlling or even a very illuminating precedent for the case before us. But a few general principles stand out in the books.

An elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. Milliken v. Meyer, 311 U.S. 457, 61 S.Ct. 339, 85 L.Ed. 278, 132 A.L.R. 1357; Grannis v. Ordean, 234 U.S. 385, 34 S.Ct. 779, 58 L.Ed. 1363; Priest v. Board of Trustees of Town of Las Vegas, 232 U.S. 604, 34 S.Ct. 443, 58 L.Ed. 751; Roller v. Holly, 176 U.S. 398, 20 S.Ct. 410, 44 L.Ed. 520. The notice must be of such nature as reasonably to convey the required information, Grannis v. Ordean, supra, and it must afford a reasonable time for those interested to make their appearance, Roller v. Holly, supra, and cf. Goodrich v. Ferris, 214 U.S. 71, 29 S.Ct. 580, 53 L.Ed. 914. But if with due regard for the practicalities and peculiarities of the case these conditions \*315 are reasonably met the constitutional requirements are satisfied. 'The criterion is not the possibility of conceivable injury, but the just and reasonable character of the requirements, having reference to the subject with which the statute deals.' American Land Co. v. Zeiss, 219 U.S. 47, 67, 31 S.Ct. 200, 207, 55 L.Ed. 82, and see Blinn v. Nelson, 222 U.S. 1, 7, 32 S.Ct. 1, 2, 56 L.Ed. 65, Ann.Cas.1913B, 555.

But when notice is a person's due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected, compare Hess v. Pawloski, 274 U.S. 352, 47 S.Ct. 632, 71 L.Ed. 1091, with \*658 Wuchter v. Pizzutti, 276 U.S. 13, 48 S.Ct. 259, 72 L.Ed. 446, 57 A.L.R. 1230, or, where conditions do not reasonably permit such notice, that the form chosen is not substantially less likely to bring home notice than other of the feasible and customary substitutes.

It would be idle to pretend that publication alone as prescribed here, is a reliable means of acquainting interested parties of the fact that their rights are before the courts. It is not an accident that the greater number of cases reaching this Court on the question of adequacy of notice have been concerned with actions founded on process constructively served through local newspapers. Chance alone brings to the attention of even a local resident an advertisement in small type inserted in the back pages of a newspaper, and if he makes his home outside the area of the newspaper's normal circulation the odds that the information will never reach him are large indeed. The chance of actual notice is further reduced when as here the notice required does not even name those whose attention it is supposed to attract, and does not inform acquaintances who might call it to attention. In weighing its sufficiency on the basis of equivalence with actual notice we are unable to regard this as more than a feint.

Nor is publication here reinforced by steps likely to attract the parties' attention to the proceeding. It is true that publication traditionally has been acceptable as notification

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The trustee has on its books the names and addresses of the income beneficiaries represented by appellant, and we find no tenable ground for dispensing with a serious effort to inform them personally of the accounting, at least by ordinary mail to the record addresses. Cf. *Wuchter v. Pizzutti*, supra. Certainly sending them a copy of the statute months and perhaps years in advance does not answer this purpose. The trustee periodically remits their income to them, and we think that they might reasonably expect that with or apart from their remittances word might come to them personally that steps were being taken affecting their interests.

We need not weigh contentions that a requirement of personal service of citation on even the large number of known resident or nonresident beneficiaries would, by \*319 reasons of delay if not of expense, seriously interfere with the proper administration of the fund. Of course personal service even without the jurisdiction of the issuing authority serves the end of actual and personal notice, whatever power of compulsion it might lack. However, no such service is required under the circumstances. This type of trust presupposes a large number of small interests. The individual interest does not stand alone but is identical with that of a class. The rights of each in the integrity of the fund and the fidelity of the trustee are shared by many other beneficiaries. Therefore notice reasonably certain to reach most of those interested in objecting is likely to safeguard the interests of all, since any \*\*660 objections sustained would inure to the benefit of all. We think that under such circumstances reasonable risks that notice might not actually reach every beneficiary are justifiable. 'Now and then an extraordinary case may turn up, but constitutional law, like other mortal contrivances, has to take some chances, and in the great majority of instances, no doubt, justice will be done.' *Blinn v. Nelson*, supra, 222 U.S. at page 7, 32 S.Ct. at page 2, 56 L.Ed. 65, Ann.Cas.1913B, 555.

The statutory notice to known beneficiaries is inadequate, not because in fact it fails to reach everyone, but because under the circumstances it is not reasonably calculated to reach those who could easily be informed by other means at hand. However it may have been in former times, the mails today are recognized as an efficient and inexpensive means of communication. Moreover, the fact that the trust company has been able to give mailed notice to known beneficiaries at the time the common trust fund was established is persuasive that postal notification at the time of accounting would not seriously burden the plan.

In some situations the law requires greater precautions in its proceedings than the business world accepts for its own purposes. In few, if any, will it be satisfied with \*320 less. Certainly it is instructive, in determining the reasonableness of the impersonal broadcast notification here used, to ask whether it would satisfy a prudent man of business, counting his pennies but finding it in his interest to convey information to many persons whose names and addresses are in his files. We are not satisfied that it would. Publication may theoretically be available for all the world to see, but it is too much in our day to suppose that each or any individual beneficiary does or could examine all that is published to see if something may be tucked away in it that affects his property interests. We have before indicated in reference to notice by publication that, 'Great caution should be used not to let fiction deny the fair play that can be secured only by a pretty close adhesion to fact.' *McDonald v. Mabee*, 243 U.S. 90, 91, 37 S.Ct. 343, 61 L.Ed. 608, L.R.A.1917F, 458.

We hold the notice of judicial settlement of accounts required by the New York Banking Law s 100-c(12) is incompatible with the requirements of the Fourteenth Amendment as a basis for adjudication depriving known persons whose whereabouts are also known of substantial property rights. Accordingly the judgment is reversed and the cause remanded for further proceedings not inconsistent with this opinion.  
Reversed.

**Questions:** (be prepared to answer these questions in class)

1. Where were the 113 trustors located?

Practice Tip: if the court or statute permits service by mail, use Certified Mail, Return Receipt Requested. That way, you will have a U.S. Post Office record that the service was accomplished and you will know to whom the envelope was delivered. Always keep the Return Receipt with the materials for the lawsuit. When the Post Office is unable to deliver a letter so mailed, it returns the letter with information showing that the recipient did not accept the letter. This serves as proof that the defendant failed to accept it or it was undeliverable because of the address. Likely, you will need this in order to petition the court to permit publication.

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### 3. Publication –

Under very limited circumstances, service by publication is permitted. Generally, this type of service is granted only by court order.

#### Service of Process – In personam Jurisdiction –

It is through service of process that the court obtains the power over the parties to adjudicate the case. This is called *in personam jurisdiction*. If the service of process is found to be inadequate, then the court does not have the jurisdiction to hear the case because it does not have the power to bring all of the parties before the court to adjudicate the issue. While this may not be too troublesome, as the plaintiff could attempt service of process again and succeed, thereby permitting the court to have jurisdiction, in certain situations this failure could result in the case being *dismissed with prejudice*, which means the plaintiff loses the case and is forever barred from bringing the case again.

Consider this situation:

The plaintiff, Jose Manual, sustained injury as the result of surgery. He decides to sue his surgeon in tort for negligence (you know this as malpractice). But under his state's law, Jose must file his lawsuit within three years of the date he sustained the injury—this is called the *statute of limitations*. Assume that Jose's surgery occurred on May 15, 2001. That means that he has until May 15, 2004, to file his lawsuit. Jose finds an attorney and files his lawsuit on April 1, 2004. Jose learns on May 31, 2004, that his service of process upon the surgeon was not effective. Because the statute of limitations ran on May 15, 2004, it is now too late for Jose to correct the defect in the service of process. Accordingly, Jose loses his case and is forever barred from bringing the case again.

Do you understand why it is so important to properly serve the defendant and to always be aware of the relevant statute of limitations?

Project B: Elements of Service of Process

PARA 105A

Statute: RCW 4.28.080(16)

ELEMENTS:

- 1) ~~The summons must be served personally~~ 1) to the defendant's house ~~or of usual~~ abode. This element is SATISFIED because the summons was served, in person, by Paula Marker, to Ms. Richmond's residence/usual abode.
- 2) ~~If the summons is not served to the defendant personally, it must be left with someone of suitable age and discretion~~ . The summons was served to Kathy Berger, who is 14 years old. It is UNKNOWN if age 14 is considered a suitable age, according to Washington law. Further research on past cases is necessary to determine this.
- 3) ~~If the summons is not served to the defendant personally, it must be left with someone who possesses discretion. This element is SATISFIED since it is known that Kathy Berger is of average intelligence, has passed a course in U.S. Government in school, and has community leadership experience (Girls Scouts). Therefore, Kathy Berger can be expected to be capable of showing reasonable discretion.~~

Commented [JAM1]: Unknown because you do not yet know what the legislature meant by the term discretion.

Further research can be done in regards to this case by using the Notes of Decisions in the RCWA, specifically Topic 23 – Personal Services, and Topic 29 - Substitute Services.

Then resident therein - Richmond admitted that Berger lives in Richmond's residence.

**Project C – The Objective Memorandum**

**Assignment:** This project requires that you write a cohesive, coherent, objective legal memorandum that answers the question asked using IRAC. Use the format identified in the *Legal Writing Handbook* and discussed in the classroom.

One of the elements of the substitute service of process statute is in question or could be disputed by Ms. Richmond. To determine its outcome you will need to find the **rules** (definitions, explanations, or examples) for the unclear / disputed element either in the statute or in the case law, and then **apply** those rules to the facts of Ms. Richmond's case to reach a prediction. You will explain how courts applied the rules to facts of similar cases. Finally, you will **apply** the rules to the facts of your case by:

- analyzing the plain language of the statute,
- comparing the facts of the analogous case to the fact of Richmond's case.

Then you will provide your **conclusion** regarding the outcome of the case.

**Goals:** This assignment is designed to help you to gain experience in:

- conducting legal research to locate the appropriate statute(s) and any relevant case law interpreting the statute(s) as it applies to the facts of a given case, using the Revised Code of Washington, The Revised Code of Washington Annotated and the West Key Number System;
- using relevant secondary authority to help you learn more about the legal issue(s);
- synthesizing the case law, applying it to the facts of a given case, and presenting it in an accurate and concise way to your reader; and
- preparing a simple, formal, legal memorandum informing your reader of the results of your research and your conclusion.

**Writing:** To be effective, paralegals must conform their writing to meet the reader's expectations and must respect the reader's hectic schedule. To meet both, you will learn to write a clear, succinct office memorandum that follows an accepted format. The memorandum must also be grammatically correct and carefully proofread. Anyone who reads at an eighth-grade level should be able to understand your memorandum.

**Deliverable:**

A formal, legal memorandum. Using the memo format, prepare a maximum 3-page memo explaining the statute, the application of the law to the facts of the case using the applicable court cases, and the result you predict in Ms. Richmond's case using the materials that we will develop in future lessons and that parallels the material in the *Legal Writing Handbook*.



## Memorandum

To: Judith Maier

From:

Date: October 30, 2017

Re: Richmond case, Service of Process

### Statement of Facts

Our client, Julia Richmond, was involved in auto accident, where she hit Tony Watson's car. Watson filed a lawsuit against Richmond and her insurance company. Process was served properly upon the insurance company. When service of process was attempted upon Ms. Richmond, she was out of town for a business trip. Process was instead served upon Kathy Berger, a teenager who shares the residence with her mother, Carol Berger, and Richmond. Since the statute of limitations ran on this action before Richmond could respond to the summons, the lawsuit against her will be dismissed if she can show that process was not properly served upon her when it was served to Berger as a substitute. Berger is 14 years old, of average intelligence, is the head cheerleader at her high school, has taken girls from her local Girl Scout troop on hikes, and is frequently left home alone while her mother is out of town on brief business trips. In addition, Berger has passed a course on the U.S. Government in school, which contained several lessons involving the U.S. court system.

### Issue

Under the Washington Service of Process Statute, will the court conclude that service was proper when it was served upon a 14-year-old girl who lived with the defendant, but was not related to her?

Commented [JAM1]: Good work presenting the facts. They are concise and direct your reader to what is at issue.

Commented [JAM2]: Good work - you used the correct format. But there are insufficient facts here to link this issue statement to what you wrote in your brief answer.

was also considered talented, a leader of her peer group, familiar with the court system, and had an appreciation for consequences of violating the law. *Miebach v. Colasurdo*, 102 Wn.2d 170, 685 P.2d 1074 (1984).

Commented [JAM7]: Good - you succinctly presented the relevant facts from this case.

We could argue that Berger was not of suitable age and discretion because unlike Phillips, she was only 14 years old instead of 15. Thus, she was not of suitable age, and the element would be satisfied.

Commented [JAM8]: Good - you made our argument - even though it is likely a weak argument.

The challengers will argue that Berger was is of suitable age and discretion because, like Phillips, Berger showed leadership capability and had the respect of her peers since she was the head cheerleader at her high school, and often took girls from a local Girl Scout troop on hikes. Like Phillips, Berger also had some familiarity with the court system, since she passed a U.S. government class, with lessons involving the U.S. court system. Therefore the court will probably conclude that although Berger, although slightly younger in age than Phillips, was is of suitable age and discretion, and the element would be satisfied.

Commented [JAM9]: There are other factual comparisons that can be made between these two girls. It is always a good idea to make all of them.

Commented [JAM10]: Why?

#### Conclusion

The court will likely find that substitute service was properly because it occurred served at Richmond's home where Berger lives. to a person who lives there. It is irrelevant if the person who receives substitute process is not related to the defendant, since legislature would have stated it clearly if only family could receive service of process. Lastly, it is unlikely that Richmond can show clear and convincing evidence that Berger was is not of suitable age and discretion. It could even be argued that because Berger was appears to be more responsible than Phillips, since Berger was not known to be rebellious or troubled, and that Berger had a higher level of intelligence than Phillips as shown by their academic achievements. Consequently, I recommend not challenging substitute service in this case, since the court will likely determine

Commented [JAM11]: Good - you applied the level of proof to the evidence.

Commented [JAM12]: Is this a fair analysis?

## Project C

Student:

	Total Points	Points Earned
<b>Formatting:</b> correct heading, meets formatting requirements, 3 pages or less	10	10
<b>Statement of Facts:</b> has heading, presents all legally significant facts, sufficient background facts, omits facts reader does not need, is well organized; facts are accurate	10	10
<b>Issue Statement:</b> has heading, uses under/does/when format, key LSFs follow "when," is one sentence, ends with question mark.	5	3
<b>Brief Answer:</b> has heading, begins with 1 word prediction, uses hedge word, supports prediction with facts, is brief	5	3
<b>Discussion Section:</b> has heading	2	2
1 <sup>st</sup> ¶: 3 rule sentences followed by citations, organized from broad to narrow, uses declarative sentences; stated accurately & completely; signposting used effectively	10	10
2 <sup>nd</sup> ¶: 2 elements raised and dismissed at beginning – uses signposting and provides elements names and uses facts; relative rule raised and dismissed using facts; ends with disputed element.	10	10
3 <sup>rd</sup> ¶: introduces analogous cases, provides key facts, ends with citation to case	10	10
4 <sup>th</sup> ¶: presents argument for our side based on age analogy between Phillips and Berger	5	5
5 <sup>th</sup> ¶: presents analogous argument for other side by comparing Phillips to Berger; uses words of comparison and facts	10	6
6 <sup>th</sup> ¶: presents mini-conclusion for disputed element, begins with connection, uses hedge word, phrased in terms of court, uses words of disputed element, presents some reasoning	8	6
<b>Conclusion:</b> has heading, begins with connection, uses hedge word, phrased in terms of court, answers question posed in issue statement, applies burden and level of proof, reminds reader how 3 elements are satisfied	10	8
<b>Writing:</b> sentences & paragraphs well connected, selected best words	10	8
<b>Proofreading:</b> correct punctuation, grammar, spelling, sentences make sense	10	7
<b>Overall:</b> teaches reader, easy to understand, logically coherent, is concise	10	10
<b>TOTAL</b>	125	108

Exceptional	110 – 125 points
Very Good	100 – 109 points
Good	90 – 99 points
Acceptable	70 – 89 points
Poor	50 – 69 points
Unacceptable	Below 50 points

The number of points earned for this Project is the number recorded as the TOTAL in the evaluation table above (highlighted in yellow).

**Citation Exercise 4 - Citing to Cases**

**Instructions:** Follow the instructions given in each question.

Assume that each citation is being given in a *separate citation sentence*.

Use the correct typeface as explained in the *Bluepages* and the correct spacing as provided in Rule 6.1.

**Saving/naming your assignment:** Save your completed document in your word processor using this naming convention: your last name-cite4. For example, if your last name is Johnson, then you would save your assignment as:

Johnson-Cite4

Be certain that you have put your name at the beginning of your assignment.

Submit your completed assignment to Canvas.

**Grading:** This assignment will be critiqued, graded, and returned to you by email.

## Questions

Provide *the full citation* for the case. Be certain to italicize the case name and to include a period at the end of each citation sentence.

**Question 1.** Provide the full citation for the following case applying *Bluebook* rules. Assume you are writing to a court in a state that does *not* require parallel citation and does *not* require a public domain citation.

201 Or.App. 108, 117 P.3d 1032

Court of Appeals of Oregon.

Naomi D'Abbracci, Randal Cranor, Russell Hanson, Ernest Bieri, Louelle Bieri, Donald Young, and Mountain Energy, Inc., Appellants,

v.

Anita Shaw-Bastian, Respondent.

00-CV-0453; A119830.

Argued and Submitted Nov. 4, 2004.

Decided Aug. 10, 2005.

**Question 2.** Using the case caption from Question 1 above, provide the full citation, but this time you are writing to a Washington court, which requires parallel citation. Recall that parallel citation requires that you provide the citation to both the official state reporter and the West regional reporter in that order.

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use "Wash." But, there is an exception...for *Washington Reports, First Series*, the abbreviation for both is "Wash." Sorry!!

Also note the spacing for these abbreviations. The • indicates a space.

Remember that when parallel citation is required, provide the official state reporter first followed by the West regional reporter.

Remember also, what is required in the state court and year parenthetical. Here, again, the state and court level are unambiguously conveyed by the official state reporter abbreviation, so you need not give that information in the parenthetical because it would be redundant.

**Question 4.** Provide the full citation for the following case.

301 F.Supp.2d 249

United States District Court, N.D. New York.  
Matthew Shannon; Josephine Alexander; Henry A. Fiebigler; Sandra R. Fiebigler; A. Paul Herubin;  
and Patrick Gubbins, Plaintiffs,  
v.  
David Jacobowitz; Oneida County Board of Elections; Angela Pedone Longo, as Commissioner of  
Oneida County Board of Elections; and Patricia Ann Dispirito, as Commissioner of Oneida County  
Board of Elections Defendants.  
No. 5:03-CV-1413.  
Dec. 30, 2003.

**Question 5.** Provide the full citation for the following case.

394 F.3d 813

United States Court of Appeals, Tenth Circuit.  
Mike Marcus; Diana Marcus; Nicholas Shiel, a.k.a. Nicholas Marcus, a minor child, by and  
through his mother Diana Marcus, Plaintiffs-Appellants,  
v.  
Carl McCollum; Swope 24 Hr. Wrecker Service, LLC, an Oklahoma Limited Liability Company;  
Jennifer Thomas; Mason Wilson; David Powell; Kent Borcharding, Defendants-Appellees,  
and  
City of Shawnee, Oklahoma, a Municipal corporation, Defendant.  
No. 03-6148.  
Dec. 30, 2004.

Citation Exercise 4

- 1) *D'Abbracci v. Shaw-Bastian*, 117 P.3d 1032 (Or. Ct. App. 2005).
- 2) *D'Abbracci v. Shaw-Bastian*, 201 Or. App. 108, 117 P.3d 1032 (2005).
- 3) *Larson v. Nelson*, 118 Wn. App. 797, 77 P.3d 671 (2003).
- ~~4) *Shannon v. Jacobowitz*, 301 F. Supp.2d 249 (N.D. N.Y. 2003).~~
- 1 5) *Marcus v. McCollum*, 394 F.3d 813 (10<sup>th</sup> Cir. 2004).
- 1 6) *Miranda v. Ariz.*, 396 U.S. 868 (1969).
- 2 7) *Miranda v. Ariz.*, 396 U.S. 868, 900 S. Ct. 140, 24 L.Ed.2d 122 (1969).
- 1 8) *State v. Lawson*, No. 33401-1-II, 2006 WL 2865795 (Wash. Oct. 10, 2006).

S = space

- 5/35 points

Note: a copy of the answer sheet is provided to the student when the graded assignment is returned to the student.

**DONOVAN, J.**

Susan Peterson was a 21-year-old student at Fairlane College who lived most of her life on her family farm in Minnesota. Although she was a dean's list student during her first year, her academic performance declined after she became deeply involved in an international religious cult organization known as The Source. Near the end of her junior year, her parents became alarmed by the changes in Susan's physical and mental well-being and concluded that she had been "reduced to a situation of psychological bondage by The Source." They sought help from Kathy Mills, a self-styled "deprogrammer" of minds brainwashed by cults.

On May 24, 2003, Norman Jungclaus, Susan's stepfather, picked up Susan from Fairlane State. Instead of returning home, they went to the residence of Kathy Mills, where Ms. Mills attempted to deprogram Susan. While Susan was skeptical, she willingly consented to the stay at the Mills residence. For the first few days of her stay, Kathy was unwilling to discuss her involvement with The Source, but she was friendly and communicative with her father. Susan also went roller skating and played softball at a nearby park over the following weekend. During the next week, she spoke daily by telephone with her fiancé, a member of The Source, who begged her to return to the cult. Susan expressed the desire to get her fiancé out of the organization, but a meeting between them could not be arranged outside the presence of The Source. After nearly sixteen days of "deprogramming," Susan left the Mills residence and returned to her fiancé and The Source. Upon the direction of The Source, Susan brought this action for damages in the State Superior Court against her parents for the tort of false imprisonment. The defendants prevailed, and the plaintiff appealed.

Judgment for Mr. and Mrs. Jungclaus. The key to this decision rests on the fact that Susan willingly remained in the company of her parents during her sixteen-day visit. She also had several reasonable and safe opportunities to escape while playing softball or while roller skating. Under such circumstances, Susan agreed to the restrictions placed upon her, and the suit for false imprisonment must therefore inevitably fail.

*Affirmed.*

**GONZALEZ and O'DONALD, JJ. concur.**

**5. Please brief the following case using Format #1:**

***Katko v. Briney***

**BRINDELL, J.**

Briney owned a large farm on which was located an abandoned farmhouse. For a ten-year period the house had been the subject of several trespasses and burglaries. In an attempt to stop the intrusions, Briney boarded up the

windows and doors and posted "no trespassing" signs. After one break-in, however, Briney set a spring gun in a bedroom. It was placed over the bedroom window so that the gun could not be seen from outside. No warning of its presence was posted. The gun was set to hit an intruder in the legs. Briney loaded the gun with a live shell, but he claimed that he did not intend to injure anyone.

Katko and a friend of his, McDonough, had broken into the abandoned farmhouse on an earlier occasion to steal old bottles and fruit jars for their antique collection. On the night of October 12, 2003, they returned for a second time after the spring gun had been set, and Katko was seriously wounded in the leg when the gun discharged as he entered the bedroom. He then brought this action for battery, and claimed damages in the amount of \$17,000. He won in the Circuit Court, but the defendant appealed.

Judgment for Katko. Katko and McDonough committed a felony when they broke into and entered Briney's farmhouse. Although Briney is privileged to use reasonable force in the protection of his property, he could not use such means of force as would take human life or inflict great bodily injury. The use of a spring gun constitutes such force. Its use would be justifiable only if the trespasser was committing a felony of violence, a felony punishable by death, or any act endangering human life. In other cases, such as that of Katko's theft in an abandoned farmhouse, the law places a higher value on human safety than upon mere property rights. As such, Briney's use of a spring gun constituted excessive force in the defense of property and was not justifiable.

Affirmed.

MARCOS and SCHWEIDER, JJ. concur.

6. Please brief the following case using Format #1. Information helpful for briefing the case includes the following:
  - a. Contributory negligence and comparative negligence are defenses that can be raised by the defendant in a negligence case.
  - b. From a reading of the case, it should also be evident that no state can have both defenses since they would lead the court to contrary results.



to another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent."

Please write an interoffice memorandum on the subject of whether Bob is or is not likely to be convicted of violating STATE STATUTE § 975.31.

3. John decides to burglarize Mary's condominium by entering through some sliding glass doors. When he breaks the glass around the door handle and sticks his finger through the hole to undo the latch, an alarm goes off and John flees. He is arrested several blocks away and charged with violating STATE STATUTE § 123.678, which states that "any person breaking and entering the dwelling house of another during the nighttime shall be punished by a period of not greater than five years and/or a fine of not more than \$5,000."

Please write an interoffice memorandum on the subject of whether John is or is not likely to be convicted of violating STATE STATUTE § 123.678.

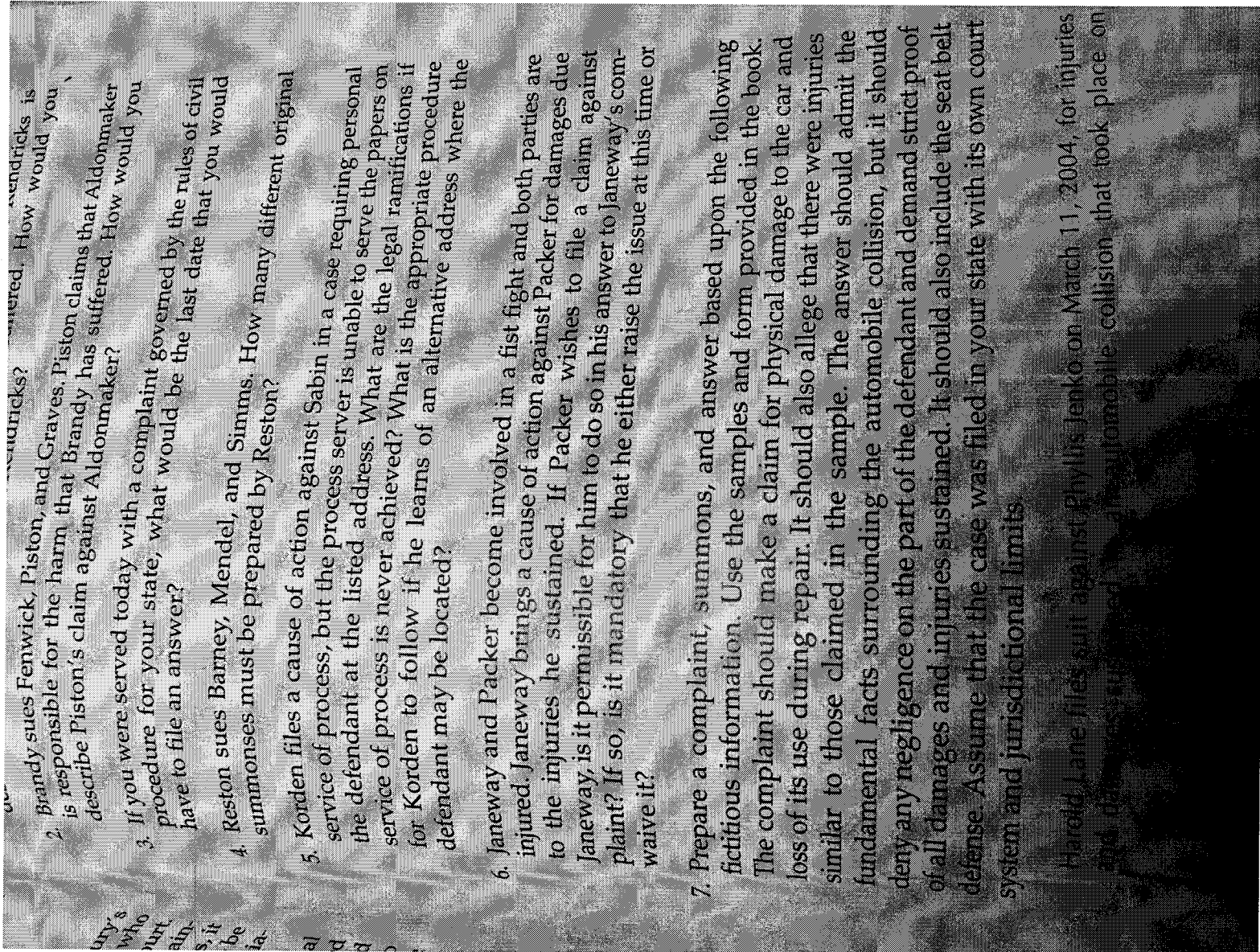
4. Lucy was recently on a fishing trip to the Bahamas. When she docked back at Port Everglades, she found that she had accidentally picked up an eel in her nets along with a catch of more than 800 fish. She ended up throwing out the eel into the Intercoastal Waterway. She was charged with violating STATE STATUTE § 987.65, which states that it is unlawful "to either import for sale or use, or release within the state, any fish of any species caught outside the state without first obtaining a permit from the Fish and Game Commission."

Lucy had no permit, and your law office represents her on the charge. Please write an interoffice memorandum on the subject of whether she is or is not likely to be convicted of violating STATE STATUTE § 987.65.

5. Harry is hunting in the Everglades. He shoots at what he believes to be a quail, but instead, he hits and kills a Florida panther. Quail hunting is permissible in the Everglades. Harry is arrested and charged with violating STATE STATUTE § 14.82, which states that it is unlawful "for any person to intentionally injure or kill any animal native to Florida in a state-designated game preserve area."

Please write an interoffice memorandum on the subject of whether Harry, who has retained the law office where you are employed, is or is not likely to be convicted of violating STATE STATUTE § 14.82.

6. Saunders and Sons, a business that is involved in the purification of sulfur products, owns a factory next door to the Paxton water processing plant. The factory's water treatment process routinely emits small amounts of zinc



2. Brandy sues Fenwick, Piston, and Graves. Piston claims that Aldonmaker is responsible for the harm that Brandy has suffered. How would you describe Piston's claim against Aldonmaker?

3. If you were served today with a complaint governed by the rules of civil procedure for your state, what would be the last date that you would have to file an answer?

4. Reston sues Barney, Mendel, and Simms. How many different original summonses must be prepared by Reston?

5. Korden files a cause of action against Sabin in a case requiring personal service of process, but the process server is unable to serve the papers on the defendant at the listed address. What are the legal ramifications if service of process is never achieved? What is the appropriate procedure for Korden to follow if he learns of an alternative address where the defendant may be located?

6. Janeway and Packer become involved in a fist fight and both parties are injured. Janeway brings a cause of action against Packer for damages due to the injuries he sustained. If Packer wishes to file a claim against Janeway, is it permissible for him to do so in his answer to Janeway's complaint? If so, is it mandatory that he either raise the issue at this time or waive it?

7. Prepare a complaint, summons, and answer based upon the following fictitious information. Use the samples and form provided in the book. The complaint should make a claim for physical damage to the car and loss of its use during repair. It should also allege that there were injuries similar to those claimed in the sample. The answer should admit the fundamental facts surrounding the automobile collision, but it should deny any negligence on the part of the defendant and demand strict proof of all damages and injuries sustained. It should also include the seat belt defense. Assume that the case was filed in your state with its own court system and jurisdictional limits.

Harold Lane files suit against Phyllis Jenko on March 11, 2004, for injuries and damages sustained in an automobile collision that took place on

## Chapter Seven

December 8, 2003. Both Lane and Jenko were the operators as well as the owners of their own vehicles at the time of the accident. The collision took place on the corner of Simons Street and Collins Avenue in the city of Oakland in your state. Lane maintains that his injuries were due entirely to the negligence of the defendant and that the injuries are permanent in nature. The plaintiff demands that the case be heard before a jury, and the defendant also demands a jury trial in her answer. Lane's attorney, Matthew Cortez of 1324 35th Avenue, Turlington, [your state and zip code], is filing the case in the appropriate court in the judicial circuit, court, county, and state where you live. Cortez's telephone number is (205) 555-5555. Jenko is represented by Martha Blackwell, who has an address of 220 Wellington Park Blvd., Suite 245 in the city of Oakland, [your state and zip code], and a telephone number of (205) 555-4671. The correct court in which to file should be evident by the fact that the plaintiff intends to demand more than \$100,000 in damages, although he is not sure of the amount. The Bar number for Cortez is #2538946, and the one for Blackwell is #4239065. Assume for the purposes of this assignment that the case number assigned to the case (04-88942) has already been included on the complaint, the summons, and the answer. The answer is filed by Blackwell on March 24, 2004. The defendant is to be served at her home located at 21 Begley Circle in the city of Oakland, [your state and zip code].

Prepare a motion for default, and default to be submitted to the clerk's office. Use the following fictitious information. Use the form pro-

**Project 2**

1. You have begun a position as a paralegal with a sole practitioner. The attorney maintains a general practice and handles matters relating to family law, wills, probate, trusts, real estate, business formation, and contracts. The attorney has been in practice for 2 years and is very busy, but is also quite disorganized. When you enter her office you discover that the client file folders are piled up all over the office – on desks, chairs, credenzas, wherever there is space. While there are file cabinets, the drawers are nearly empty.

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  - a. You are concerned that the attorney may have violated ethical rules. If so, which one(s)? (Your answer should be no longer than 1 paragraph.) (10 points)
  - b. You have the task of organizing the mess. Explain how you would do this – design a filing system, including how you would store, maintain, and destroy files. If you cited ethical rule(s) violations in (a) above, how will your proposed filing system reduce them or eliminate them? (Your answer should be no longer than 2 pages.) Presume that this will be a paper filing system, not an electronic one. (50 points)
2. The attorney you work for has asked that you docket the following dates on his calendar. He also wants reminders 3 business days before each of the items is due.
  - a. Motion for Summary Judgment filed January 8, 2018; response is due 20 days from the filing date. Court rules use calendar days.
    - i. What is the date the response is due? (5 points)
    - ii. What is the date the 3-day reminder should be posted? (5 points)
  - b. Motion to Compel filed January 12, 2018; response is due 10 days from the filing date. Court rules use business days.
    - i. What is the date the response is due? (5 points)
    - ii. What is the date the 3-day reminder should be posted? (5 points)
  - c. Request for Admissions was received January 16, 2018; response is due 25 days from receipt. Court rules use calendar days.
    - i. What is the date the response is due? (5 points)
    - ii. What is the date the 3-day reminder should be posted? (5 points)
  - d. Complaint is dated January 17, 2018; answer is due 20 days from receipt. Court rules use calendar days.
    - i. What is the date the answer is due? (5 points)
    - ii. What is the date the 3-day reminder should be posted? (5 points)

Turn your completed assignment into Canvas under Assignment 3.

Grading: this assignment is worth 100 points.

Your grade will be based on how completely, succinctly, and correctly you answer each of the questions.



**Project 3**

1. The staff member in your firm who served as a notary public for the firm is leaving. Your supervisor has asked you to become the firm's notary public. Go to the **official** Washington State website and find the following information in preparation for doing this. Be very certain that you are using the *official* website – remember it will have a .gov ending. There are numerous for-profit companies that will charge you for this information – you do not want to use one of them. Answer the following questions with respect to Washington state. (48 points, 3 points for each answer)

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  - a. What requirements must you meet to become a notary?
  - b. Must you complete a course of study?
  - c. Must you take an exam?
  - d. Must you have a bond? If so, in what amount?
  - e. How long is the term for a notary?
  - f. What does the application require?
  - g. What are the requirements for your seal or stamp?
  - h. Can you obtain your seal or stamp before you receive your commission from the Department of Licensing?
  - i. Does the statute provide the language you must use when you notarize documents?
  - j. What is the maximum fee that a notary may charge?
  - k. Can a notary provide services without charging?
  - l. What changes will the new law that is effective July 1, 2018, bring?
2. Since you will be fulfilling the task of being a notary for the law firm, the expenses you incur to become a notary are likely reimbursable by the firm. What will you need to do in order to receive reimbursement for them? For what expenses will you seek reimbursement? (Your answer should be no longer than 1 paragraph.) (10 points)
3. Watch the Clio introductory video located at: <https://vimeo.com/237632161>. Then do the following:
  - a. Enter a new client, use the information on the next page. (20 points)  
For LEDES – leave the field blank.  
For Contact Billing – do not change or entry anything.  
Then click Save New Person.
  - b. Enter a new matter for the client, use the information below: (12 points)
    - i. Client is the client you just entered.
    - ii. Matter Description: Contract – advice regarding Confidentiality Agreement provided by employer.
    - iii. Responsible Attorney – Judith Maier
    - iv. Originating Attorney – Judith Maier
    - v. Client Reference Number – Use first five letters of your last name followed by 20180001.
    - vi. Location – leave blank

## Law Office Procedures & Technology

- vii. Permissions – do not enter anything.
  - viii. Practice area – business
  - ix. Status – do not enter anything
  - x. Open date – accept the date; do not enter close date or pending date
  - xi. Statute of limitations – do not enter anything
  - xii. Click Save matter
  - c. Enter your time, 10 minutes, for talking with the client about her problem and gathering the information you entered into Clio. (10 points)
    - i. Category – Paralegal client review
    - ii. Description – Enter: Talked with client to assess her concerns; prepared intake form and entered it.
    - iii. Click Save entry.
- 

Submit your completed assignment, questions 1 -3, to Canvas under Assignment 4. There is nothing for you to submit to Canvas for the Clio part of the project (question 4); your instructor will check what you have entered in Clio.

Grading: this assignment is worth 100 points.

Your grade will be based on how accurately, completely, and concisely you answer each of the questions above and on your entries in Clio.

Law Office Procedures & Technology

Client Intake Form

All information will remain **confidential**.

Name: Susan (use your last name)  
Other names (if any): none  
Home Address: make up an address

City: Seattle State: WA Zip: 98106

Place of Employment: GT Technologies, Inc.

Make up phone numbers and email address.

Home Phone: ( ) -  
Work Phone: ( ) -  
Cell Phone: ( ) -  
Email:

What area of law are you seeking assistance with? contract

Who is the adverse party in this matter (if any)? GT Technologies

Address (if known): 34567 320<sup>th</sup> Ave., Federal Way, WA 98467

Phone (if known): ( 206 ) - make up a phone number

Please briefly describe the facts of this matter (continue on back if needed): I am being asked to sign a Confidentiality Agreement. My supervisor says I don't have to sign it. I am uncertain about it and need advice.

What is your expected outcome for this matter? Decision about whether to sign

Please list any documents that are involved in, or may be helpful to the resolution of, this issue:

<u>Confidentiality Agreement</u>	In your possession? <u>(Y)</u> / N
	In your possession? Y / N
	In your possession? Y / N
	In your possession? Y / <u>(N)</u>

Have any other attorneys worked with you on this matter? Y / (N)

If yes, please list the name and address of the attorney or firm:

Are there any other parties involved in this matter? If so, please list them:

## Law Office Procedures & Technology

Name: none Relationship: \_\_\_\_\_

Phone (if known): (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Phone (if known): (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Phone (if known): (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Phone (if known): (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

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How did you hear about our firm?

☒ Former/Current Client Referral

☐ Bar Association Referral

☐ Firm Website

☐ Yellow Pages

☐ Other: \_\_\_\_\_

Notes: \_\_\_\_\_

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Assignment 1 (Self-Graded)  
Professional Responsibility & Ethics  
Fall 2017  
Hina Arai

1. Identify the ABA Model Rule of Professional Conduct that prohibits Unauthorized Practice of Law
2. Identify the NALA Cannons that prohibit the Unauthorized Practice of Law
3. Identify the National Federation of Paralegal Associations (NFPA) codes that prohibit Unauthorized Practice of Law
4. Identify the ABA Model Guidelines for the Utilization of Paralegal Services that prohibits the Unauthorized Practice of Law
5. Which of the following acts by a paralegal would be permissible and which prohibited under the definitions of legal advice? If prohibited, explain why and site the applicable ABA Model Rule, the NALA Cannon, NFPA Code and ABA Model Guideline.
  - a. Paralegal Jane interviews a client to obtain the facts relating to an automobile accident
    - i. Permissible
    - ii. Not Permissible
  - b. Paralegal Mark interviews the client and then tells the client that based on his review of the interview facts, the firm probably will be able to get a \$15,000 recovery.
    - i. Permissible
    - ii. Not Permissible
  - c. Paralegal Nisha is discussing the possible questions that could be asked at the deposition with Client. Client asks Nisha to attend the deposition with her instead of the representing Lawyer. Nisha agrees and attends the deposition without the lawyer.
    - i. Permissible
    - ii. Not Permissible
  - d. Paralegal Andrew has established good rapport with Client A. Client A asks Andrew the meaning of an affidavit given to Client A for signature
    - i. Permissible
    - ii. Not Permissible

- e. Paralegal Andrew then answers Client A's additional questions about the meaning of terms in the contract and gives Client A legal opinions that he knows the lawyer would give because they just wrapped up a similar case.

i. Permissible                      ii. Not Permissible

- f. Paralegal Leilani works with a bankruptcy lawyer. The lawyer has a message for Client A but is unable to get in touch with the Client so tells Leilani to relay the message to Client A that it is ok to sign the contract at issue. Leilani contacts Client A and tells Client A that it is ok to sign the contract.

i. Permissible                      ii. Not Permissible

6. Which Rule of Evidence covers Attorney-Client Privilege? What is the applicable ABA Model Rule? the NALA Cannon? NFPA Code? ABA Model Guideline?
7. Contact three local law firms and find out what written policies they have to protect the confidentiality of information. Be sure to ask about confidentiality agreements and protections for e-mail and metadata.
8. Name ten procedures/policies that would help a firm prevent disclosure of confidential information.

Assignment 2 (Self-Graded)  
Professional Responsibility & Ethics  
Fall 2017  
Hina Arai

As discussed in class, please watch the movie Erin Brockovich (2000) and answer the following questions. You may work alone or in small groups. We will discuss this assignment in class on November 9, 2017.

1. What kind of tasks does Erin perform in her role as a paralegal during the course of the PG&E investigation?
2. Does Erin violate any ethical rules guiding paralegals during the course of her investigation into PG&E?
3. Did the lawyers from PG&E violate any ABA Model Rules during the course of Erin's investigation into PG&E?
4. What is your opinion of the large check Erin received from the attorney at the end of the movie? Was that a violation of ABA Model Rule 5.4?

## Credibility Checklist

- [ ] **Plausibility:** Whose story makes the most sense? Could the employees involved have heard and seen what they claimed to have witnessed? Should they have heard and seen things that they did not admit?
- [ ] **Source of Information:** Did the witness see or hear the event directly? Did the witness report firsthand knowledge, or rely on statements from other employees or rumors?
- [ ] **Detail:** How general or specific was each person's statement? Were details supported by other evidence? Did the accused or suspected employee deny the allegation in detail or only generally?
- [ ] **Corroboration and Conflicting Testimony:** What witnesses or documents support each side of the story? Does the evidence contradict one person's statements? Do the witnesses support the person who suggested you interview them? If there are conflicts, are they over minor or significant issues?
- [ ] **Contradictions:** Was each person's story consistent throughout your questioning or on a second telling? Did any of the witnesses contradict themselves? If so, did the change involve a minor issue or a matter of substance?
- [ ] **Demeanor:** How did the witnesses act during the interview? Did they appear to be telling the truth or lying? Did the accused employee have a strong reaction to the complaint or no reaction at all? Did the complaining employee seem genuinely upset? Were any witnesses' reactions unusual, based on their ordinary demeanor or behavior?
- [ ] **Omissions:** Did anyone leave out important information during the interview? Is there a reasonable explanation for the omission?
- [ ] **Prior Incidents:** Does the accused employee have a documented history of this type of misconduct? Has the complaining employee made previous complaints? Have there been other incidents between the complaining and the accused employee?
- [ ] **Motive:** Does anyone have a motive to lie about, exaggerate, or deny the incident? Is there any history between the employees involved that affects their credibility? Do any of the witnesses have a special loyalty to—or grudge against—anyone involved in the incident?

# *Really Big Coffee Company, Inc.*

## COMPLAINANT'S STATEMENT

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RBCC #2018-027

COMPLAINANT: Lisa Latte  
COMPLAINANT'S STORE: Store #3256  
INTERVIEW DATE: January 15, 2018  
INTERVIEW START TIME: 5:00 p.m.  
INTERVIEW LOCATION: Store #3256 manager's office

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### GROUND RULES

- The investigative process.
- I don't make any conclusions until I've completed interviews and reviewed all the evidence.
- Please keep as confidential as possible. I will only share information on a "need to know basis." I usually don't include names in report unless necessary.
- Failure to be truthful in this investigation can lead to discipline.
- Notify me or Human Resources immediately if believe retaliated against.
- For subjects, where relevant: *Weingarten*

*I make the following statement to RBCC Investigator, Steve Zwerin, in the above-referenced case.*

**How long have you worked for Really Big Coffee Company?**

8 years

**Have you been in this store the entire time?**

I started in a store in Portland, but I came up to Seattle three years ago.

**What's your job title?**

Supervisor.

**How long have you been in this role?**

Since February 2017. Before that, I was a barista on the afternoon shift. I did that job for seven years--- five years in Portland, and then two years in Seattle. Then I became supervisor almost a year ago.

**What are your job duties?**

As supervisor, I lead the afternoon shift team. Usually there are three baristas on shift. I'll step in as a barista or cashier when it's really busy, to help out. I double check the cash

at the end of the shift to make sure the POS (point of sale) machines are accurate. If someone's sick, they call me, and I find someone else to cover their shift.

**Who is your supervisor?**

Mickey Mocha, the manager.

**What training did you receive on using the Point of Sale machine in RBCC stores?**

When I was hired, I went through orientation, which included training on everything: making drinks, serving food, and handling the [POS] registers.

**Who taught you this information?**

I don't remember his name, but it was my supervisor at the time, when I worked in Portland. He left years ago.

**When did you receive this training?**

It was when I was hired, and the training was all day. Then I worked closely with other baristas and the supervisor for a week while I learned how to do the job.

**Have you received any training on Point of Sale machines since then?**

Yes. We get training anytime there's a big update to the machines, like when we have new food or drinks to sell. Those involve a different code we need to enter. Plus, we have refresher training once a year, and have to pass a test that shows that we still know how to use the machines.

**Did this include training on handling customer cash transactions?**

Of course. That's part of the register training.

**Is there a policy on handling customer cash transactions?**

I believe it's our theft policy. That policy basically says, "Don't steal, or you'll get fired."

**Have you ever accidentally given a customer less cash back than they were entitled to?**

I did, once. I realized what had happened right after I finished the sale. Fortunately, the customer was still waiting for her drink to be made, so I gave her the money I owed her. I think it was \$5 or something. She was grateful.

**How many times would you say that has happened during the time you've worked for RBCC?**

It was just that one time.

**What are you supposed to do if you accidentally give a customer less cash back from their order?**

If they're still there, we're supposed to notify them that we've made a mistake, and give them the correct amount of change. If they're already gone, we notify the supervisor or manager. They'll figure out how to reimburse the customer. If it's a regular [customer], we can give them their money the next time they come in.

**How do you know Chris Cappuccino? How long have you worked with Chris?**

Chris is one of the baristas I supervise. I have been working with Chris for about three years now in this store.

**What do you think of Chris?**

Chris is okay. S/he doesn't really talk much with other employees, but I don't have an issue with that. Chris is nice to customers, and I guess that's what really matters.

**Have you ever seen Chris take money that was supposed to be for a customer?**

Yes, I have seen Chris do that.

**Please tell me what happened:**

Well, Chris did it last Monday, and that's why I reported it to Mickey, the manager. But it wasn't the first time. I've seen Chris do it two or three other times over the past year. I told Chris I would report it if it happened again. I thought Chris stopped, but it sounds like the thefts are still happening.

So, on Monday we had a customer come in. I don't know his name. I just remember he paid with cash. Usually people pay with a credit card or an RBCC gift card, so that was a bit unusual. But what really surprised me was that he paid with a \$100 bill. I remember that because Chris used our special pen to make sure money isn't fake or counterfeit.

Chris then counted out change to the customer, who just put it in his wallet. But then, when the customer turned away to walk toward where they pick up their drinks, I saw Chris put something in his/her back pocket. I was so stunned that I didn't say anything. I didn't want to accuse Chris because I wasn't 100% sure.

I'm still not 100% sure, but it's exactly what I saw Chris do the other times I saw him/her take money from a customer. S/he would count out their change, but give them a little bit less than they were supposed to get. Then, when they weren't at the register, Chris would pocket the money s/he didn't give them.

**Were there any witnesses?**

I think one of the other baristas might have seen it happen if they weren't too busy or helping other customers. I don't know. I didn't ask anyone else if they saw it. But I know Eric Espresso was working on that shift that day. There was another employee, Danny Decaf, but he was on break. I was covering for him while he was in the break room.

**Have any other employees kept money that was owed to a customer?**

No. Not that I'm aware of.

**Have you?**

No. That would be illegal, and I would never do something like that.

**Is there anything else that you think I should know?**

I like Chris, but I really wish s/he hadn't done this. I warned Chris before that s/he was putting his/her job at risk. Plus, it's unfair to the customer, who has lost their hard-earned money.

INTERVIEW END TIME: 5:40 p.m.

# *Really Big Coffee Company, Inc.*

## WITNESS STATEMENT

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RBCC #2018-027

WITNESS: Bobbi Barista  
WITNESS STORE: Store #3256  
INTERVIEW DATE: \_\_\_\_\_, 2018  
INTERVIEW START TIME: \_\_\_\_\_ p.m.  
INTERVIEW LOCATION: Store #3256 manager's office

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### GROUND RULES

- The investigative process.
- I don't make any conclusions until I've completed interviews and reviewed all the evidence.
- Please keep as confidential as possible. I will only share information on a "need to know basis." I usually don't include names in report unless necessary.
- Failure to be truthful in this investigation can lead to discipline.
- Notify me or Human Resources immediately if believe retaliated against.
- For subjects, where relevant: *Weingarten*

*I make the following statement to RBCC Investigator, Steve Zwerin, in the above-referenced case.*

**How long have you worked for Really Big Coffee Company?**

**Have you been in this store the entire time?**

**What's your job title?**

**How long have you been in this role?**



**What are your job duties?**

**Who is your supervisor?**

**What training did you receive on using the Point of Sale machine in RBCC stores?**

**Who taught you this information?**

**When did you receive this training?**

**Have you received any training on Point of Sale machines since then?**

**Did this include training on handling customer cash transactions?**

**Is there a policy on handling customer cash transactions?**

**Have you ever accidentally given a customer less cash back than they were entitled to?**

**How many times would you say that has happened during the time you've worked for RBCC?**

**What are you supposed to do if you accidentally give a customer less cash back from their order?**

**How do you know Chris Cappuccino? How long worked with him/her?**

**What do you think of him/her?**

**Have you ever seen Chris keep money that was supposed to be for a customer?**

**Please tell me what happened:**

**Were there any other witnesses?**

**Have any other employees kept money that was owed to a customer?**

**Have you?**

**Is there anything else that you think I should know?**

INTERVIEW END TIME: \_\_\_\_\_ p.m.

# **ATTACHMENT 14**



CONTINUUM COLLEGE  
UNIVERSITY of WASHINGTON

## Paralegal Studies Certificate

### Transfer Policy

To protect the academic quality and integrity of the LLLT Program, applicants wishing to transfer courses to the UW Continuum College Paralegal Studies Program will be required to follow the four steps outlined below:

- Students must provide official transcripts showing a grade of a 'B' or better
- Students are required to indicate whether the college is LLLT or ABA approved
- Students must provide a syllabus or similar comprehensive summary of the course which was completed
- Students must provide proof that the course was in traditional classroom format

Additional restrictions on transfers:

- No more than 15 quarter credits/CEUs (or their equivalents, per the chart on page 22 of [the ABA Guidelines](#)) will be permitted to be transferred.
- No online classes will be allowed to be transferred

UW Continuum College reserves the right to accept transfer courses based on how closely they match the Program's course.

## **ATTACHMENT 15**

**BRUCE E. WIENER**

North Bend, Washington 98045

E-mail:

**OBJECTIVE**

Attorney

**EDUCATION**

Undergraduate: University of California at Berkeley  
A.B., Political Science, June, 1978

Graduate: University of San Diego School of Law  
J.D., May, 1981 (Admitted to California Bar: December, 1981)  
(Admitted to Washington Bar: May, 1993)

**WORK EXPERIENCE**

**January 2002 to Present:**

**Wiener & Lambka, P.S.**, Renton, Washington. Current position: Senior Partner.

Responsibilities include:

- Supervision and management of all office and personnel/administrative functions
- All phases of personal injury litigation for over 450 clients
- Expanding and developing client base

**January 1994 to December 2001:**

**Wiener & Dougherty**, Everett, Washington. Position: Managing Partner

Responsibilities included:

- Supervision and management of all office and personnel/administrative functions
- All phases of personal injury litigation for over 250 clients
- Expanding and developing client base

**March 1993 to December 1993:**

**Garvey, Schubert and Barer**, Seattle, Washington. Position: Of Counsel. Ninety attorney general practice law firm. Three offices (Seattle, Portland and Washington D.C.).

Responsibilities included:

- All phases of civil litigation including both mediation and trial
- Specializing in insurance and reinsurance

**January 1984 to November 1992:**

**Harrington, Foxx, Dubrow and Canter**, Los Angeles, California. Position: Equity Partner. Fifty attorney law firm specializing in products and insurance defense and general civil litigation; three offices (Los Angeles, Orange and San Diego).

Responsibilities included:

- All phases of civil litigation, including numerous jury and bench trials as well as over 50 arbitrations and mediations
- Independently acquired over \$1.2 million in new clients as an associate
- Managing partner for accounts receivable committee (gross annual revenues in excess of \$10.0 million)
- Conducting and administering over 300 annual performance appraisals, reviews, employment offers and exit interviews
- Revised and reorganized recruiting procedures to cut annual costs by \$80,000 while reducing associate attrition by 70%
- Firm recruiting head at ten of California's largest law schools (1985 to 1992)
- Moot Court judge for the UCLA Law School Moot Court Competition (1987-1991)
- Supervising and training both associates and law clerks
- Four (4) published California Appellate decisions

**1981 to 1983:**

**Honorable Robert L. Ordin, United States Bankruptcy Judge**, Central District of California, Los Angeles, California. Position: Law Clerk. Received Federal Distinguished Service Award

**Responsibilities included:**

- Complete case management (over 7,500 active files), calendar administration and coordination
- Assisted in drafting opinions
- Reviewed and approved all fee applications, reaffirmation agreements, proposed workouts, Disclosure Statements and Plans of Reorganization

**TEACHING EXPERIENCE**

**September 1993 to Present:**

**Adjunct Faculty  
(Undergraduate)**

**University of Washington**, Seattle, Washington

**Columbia College**, Marysville, Washington

**Pierce College**, Tacoma, Washington

**Highline Community College**, Des Moines, Washington

**Edmonds Community College**, Lynnwood, Washington

**(Graduate)**

**Columbia College (MBA Program)**, Marysville, Washington

**Office of the Attorney General** (2005 Litigation Seminar Series)

Courses Include: Business Law (I & II)

American Government (I & II)

Torts

Property

Bankruptcy

Criminal Procedure

Judicial Process

Litigation

Constitutional Law

Business Ethics

Introduction to Law

Debtor/Creditor

Complex Litigation

**Awards:1997**

"Instructor of the Year" finalist, Edmonds Community College (50 finalists selected from faculty of over 700, but the only part time faculty member honored)

1999-2002

Extended Studies faculty representative for the State of Washington, Columbia College

2002

"Teaching Excellence" award nominee, University of Washington (faculty of over 900)

2003

"Teaching Excellence" award winner, University of Washington (faculty of over 900)

2007

WSTLA "American Justice Essay" College Scholarship judge

**REFERENCES**

Available upon request



# **Judith A. Maier, M.B.A., J.D.**

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28 Silver Beach Dr.

Steilacoom, WA 98388

(253) 584-3686

## **Education**

J.D., Cum Laude, University of Puget Sound School of Law  
Admitted to Practice Washington : 1994  
M.B.A., honors, Pacific Lutheran University  
B.S., Cum Laude, Syracuse University

## **Experience**

**Instructor, Law** 2001-present  
University of Washington, Post-Graduate Certificate in Paralegal Studies  
Teaches courses in Legal Research and Writing, Business Law, Legal Technology, Family Law, and International Contracting. Developed curriculum for on-site courses and on-line courses.

**Adjunct Professor, Legal Writing** 2009  
Taught Legal Writing II - Persuasive Writing and Oral Argument, a single-semester course. Position required preparation of classroom materials; development of four objective memo writing problems, one client letter project, various legal research exercises; legal citation training; computer assisted legal research training; development of materials for motion brief and oral argument; and development of materials for appellate brief and oral argument. Position requires extensive critiquing of students' work as well as individual student writing conferences.

**Partner, Omnitek System Solutions** 2001-present  
Provides technology assistance to small and medium sized business. Works with firms to select, design, install, train, and maintain computer network solutions to enable business owners to concentrate on the business not their IT.

**Law Practice** 2001- present  
Legal counsel to selected businesses throughout United States. Focuses on business transactions.

**Professor, Legal Writing** 1996-2001  
Seattle University School of Law  
Taught Legal Writing I - Objective Memorandum writing and Legal Research, a two-semester course and Legal Writing II - Persuasive Writing and Oral Argument, a single-semester course. Position required preparation of classroom materials; development of four objective memo writing problems, one client letter project, various legal research exercises; legal citation training; computer assisted legal research training; development of materials for motion brief and oral argument; and development of materials for appellate brief and oral argument. Position requires extensive critiquing of students' work as well as individual student writing conferences.

**Judicial Law Clerk**

1994-1997

State of Washington, Court of Appeals, Division II

Hon. Karen G. Seinfeld

Court Commissioners Donald Meath & Ernetta Skerlec

Preparation of legal memoranda for the judges and commissioners based upon reading of the parties briefs, reports of proceedings, court papers and documents, and independent legal research of the issues.

**Over 15 Years Healthcare & Information Technology Management Experience**

**Director Risk Management / Special Projects** 1992-1993

Franciscan Health System - St. Clare Hospital, Tacoma, WA

Organization and development of hospital risk management function including identification of issues of institutional risk, risk assessment, development of risk reduction and/or elimination strategies, management of outside legal counsel, and liaison work with captive insurer. Reported to Vice President Operations.

Additionally responsible for installation of Comprehensive Decision Support Information Processing System and for Project Management of an employee Total Quality Management project.

**Director Information Services / Special Projects** 1990-1992

St. Clare Hospital, Tacoma, WA

Management of computer services for suburban hospital including strategic planning, budgeting, and training. Reported to Senior Vice President, Finance.

**Director Fund Development / Special Projects** 1988-1990

Lakewood Hospital, Tacoma, WA

Development of fund raising program for hospital including establishment of separate 501-C3 Foundation, recruitment of Foundation Board, Capital/Major Gifts Campaign, Annual Fund Drive. Reported to President and Board of Directors.

**Director Information Services** 1980-1987

Multicare Medical Center, Tacoma, WA

Management of computer services for three urban hospitals, including responsibility for \$1.5 million annual budget, and direction of staff of twenty-one. Reported to Vice-President, Finance.

**Instructor** 1985

Chapman College, Tacoma, WA

Taught Information Systems Management & Design in the M.B.A. / M.H.A. program.

**Various positions in computer systems engineering, data base design and management, and systems architecture** 1966-1980

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<b>Publications</b>	Lorraine Bannai, Anne Enquist, Judith Maier & Susan McClellan, <i>Sailing Through Designing Memo Assignments</i> , 5 J. Leg. Writing Inst. 193 (1999).
<b>Community Service</b>	Clover Park Rotary, Treasurer Steering Committee, Seattle Univ. School of Law Building Campaign Past President, Board of Directors, Tacoma Youth Symphony Board of Directors, Tacoma Community College Foundation Fund Raising Committee, Pantages Theater Project, Tacoma, WA Board of Trustees & Board of Directors, Long Beach Community Hospital Foundation NY State Selective Service Advisory Committee NY State Representative to 1969 Selective Service Draft Lottery Drawing, Washington, D.C.
<b>Interests</b>	Harpist Clothing Design, Couture Sewing Calligraphy China Painting Boating

## EXPERIENCE

### **Seattle City Light, Hearing Officer/Privacy & Surveillance Program Manager, Seattle, WA October 2013 – Present**

- Provide strategic guidance on Privacy and Surveillance implications on new and existing utility projects
- Provide strategic advice to internal stakeholders such as the Customer Care Director, Division Managers and Supervisors on applicable City Light laws (state and local), policy analysis/implementation and program evaluation in: (1) evaluating and streamlining best work practices (2) improving efficiencies; (3) defining gaps in existing municipal laws, policies and procedures; and (4) identifying areas where new rules, policies and procedures need to be created;
- Manage the Hearing Office by administering the hearings and appeals process for more than 408,000 retail and wholesale customers who represent over \$842 million in revenue; administration involves conducting a thorough investigation of customer account, holding a hearing with the customer, researching and analyzing applicable laws, managing supervisors through account adjustments, if any, and issuing final administrative decision;
- Assist in shaping internal policies, business practices and procedures by providing direction to cross-functional teams within the Department on how to achieve important objective related to SCL's priority programs, business practices and services;
- Serve on Seattle City Light's Race and Social Justice Team from the Customer Care Division as a Change Team member and serve as the co-chair for the RSJI Event's Committee.

### **University of Washington Professional and Continuing Education, Instructor, Seattle, WA Sept 2017- Present**

- Primary instructor for ethics and professional responsibility class designed for paralegal students;

### **University of Washington Professional and Continuing Education, Asst. Instructor, Seattle, WA Mar 2012- Sept 2017**

- Assist in instructing basic litigation classes designed for paralegal students;
- Manage online discussion board, grade assignments and provide responses to student questions.

### **WA Employment Security Department, Legal Appeals Representative, Olympia, WA April 2012 – Oct 2013**

- Represent the Department in all appeals before the Office of Administrative Hearings and the Commissioner's Review Office, including analyzing and researching the legal and factual issues involved in an appeal, preparing and presenting witnesses, evidence and legal argument;
- Provide strategic analysis to senior leadership on agency proposals and policy to assure the agency remains in compliance with and conforms to all state and federal laws and regulations;
- Lead bill implementation efforts as project manager to implement newly passed legislation and assist in drafting Washington Administrative Codes and providing technical assistance to state legislators on agency regulations.

### **The Advocates Group, Inc., Senior Associate, Edmonds, WA Sep 2010 – Jan 2012**

- Drafted tribal laws and policies on domestic relations and provided counsel on compliance with such laws and policies;
- Assisted prosecutors in Snoqualmie, Jamestown S'Klallam, Tulalip and Hoh Tribes by preparing complaints, motions, and briefs for court hearings as well as trial preparation;
- Represented Adult and Juvenile clients at Puyallup Indian Tribe as Puyallup Tribal Public Defender.

### **United States Department of Justice, Office of Tribal Justice, Legal Intern, Washington D.C. Aug - Dec 2009**

- Authored memoranda on Federal Indian law, Public Law 280 and Environmental law;
- Addressed citizen correspondence involving treaty rights and other complex Federal Indian Law issues;
- Staffed Congressional Committee hearings on behalf of the DOJ;
- Synthesized legal research and prepared talking points for Deputy Director for speaking engagements and educational consulting.

### **Snoqualmie Indian Tribe, Legal Intern, Snoqualmie, WA May - Aug 2009**

- Drafted tribal laws and policies regarding domestic relations, sex offender registration, tribal employment rights, personnel, juvenile justice, and criminal wildlife enforcement;
- Prepared legal memoranda advising the Tribal Council on employee contract dispute, treaty gathering rights, intra-tribal election dispute, domestic relations, enhanced Tribal identification cards, and sovereign immunity.

### **University of Washington Tribal Court Clinic, Clinical Intern, Seattle, WA May - Aug 2008**

- Drafted pretrial briefs, motions and argument memoranda as a second chair on several criminal cases in tribal court;
- Represented Tulalip tribal members at trial, with supervision;
- Synthesized legal research and authored memoranda on criminal law issues under the Tulalip Tribal Law and Federal Law.

## HINA SALEEM ARAI

Seattle, WA 98115

Phone: [REDACTED]  
[REDACTED]

### EDUCATION

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#### California Western School of Law, San Diego CA, Juris Doctor, 2010

- Academic Achievement Award, Fall 2009
- Jessup International Law Moot Court Team, Oral Advocate 2008-2009; Student Coach 2009-2010
- Moot Court Honors Board, Appellate Committee Co-Chair

#### University of Washington, Seattle, WA, B.A. in Business Administration, June 2006

- Concentrations: Marketing and Management; Minor: Women Studies
- National Honor Society "Phi Eta Sigma;" Vice President, 2003-2004
- Dean's List: 7/12 quarters

### BAR ADMISSIONS

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- Washington State
- Tulalip, Puyallup, Swinomish, Port Gamble S'Klallam, Jamestown S'Klallam, Hoh and Skokomish Indian Tribe

### COMMUNITY ACTIVITIES

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- Institute for a Democratic Future Fellow, Class of 2013

## **SUMMARY OF PROFESSIONAL QUALIFICATIONS**

Provide strong employee relations and employment law guidance that has been developed through numerous situations at diverse employers. Have conducted hundreds of workplace investigations involving all types of issues. Advise employers on workplace best practices, provide management coaching, and conduct training and development on employment issues and preventive techniques.

## **SKILLS, ATTRIBUTES, TRAINING EXPERTISE**

- Employee relations
- Workplace investigations
- Employment law
- Training & development
- Performance management
- Executive coaching
- Layoff/termination
- Leadership
- Unions/labor relations

## **PROFESSIONAL EXPERIENCE**

### **ATTICUS CONSULTING, Seattle, WA**

**2014 – Present**

#### **Principal Consultant (King County; Swedish Medical Center)**

Advise management on employment law and employee relations issues, and provide guidance on policies and procedures.

- Created a brand new workplace investigations and dispute resolution program from the ground up for King County, with a focus on early intervention of issues, reducing turnover, and improving employee morale.
- Conduct workplace investigations, recommend post-investigation best practices, and advise management on employee relations matters.
- Provide workplace investigations training to management and Human Resources practitioners.
- Lead Human Resource managers to ensure skillful investigation of workplace issues and to provide recommendations for resolution of employee relations issues.
- Mentor and train investigators on investigative techniques.
- Handle labor relations matters, such as grievances and union contract interpretation.

### **MICROSOFT, Redmond, WA**

**2012 – 2014**

#### **Attorney, Employee Relations Investigations Team**

Helped ensure compliance with Microsoft policy and law by ensuring discrimination, harassment, and retaliation concerns were addressed objectively, thoroughly, and timely. Managed multiple, comprehensive, and timely investigations of complex employee relations issues, often involving senior management.

- Led Human Resource managers to ensure skillful investigation of workplace issues and to provide recommendations for resolution of employee relations issues.
- Trained Human Resource staff on legal issues and investigations.
- Created and developed case management systems for the practice group, simplifying the investigation process and streamlining the transfer of cases between investigators.
- Consistently upheld and enforced company policies and guidelines related to equal employment opportunity, anti-harassment and anti-discrimination, and business conduct.
- Implemented and led a new partnership with Seattle University School of Law:
  - Designed and managed twice-yearly panel presentations in which diverse Microsoft attorneys discussed overcoming obstacles in their legal career path;
  - Received a Microsoft Diversity Leader award for this effort.
- Tracked and analyzed employee relations issues across the company.

**UW MEDICINE (NW HOSPITAL & MEDICAL CENTER), Seattle, WA**

**2006 – 2012**

**Employee Relations Manager**

Partnered with leadership to formulate and apply workplace best practices. Conducted ongoing coaching sessions, guiding new management through difficult workplace issues, further strengthening their effectiveness as workplace leaders.

- Created and implemented a management training program, addressing personnel practices and policies, resulting in improved leader capabilities and less turnover.
- Investigated and resolved complex workplace issues.
- Revised and deployed policies and compliance processes.
- Invented and implemented an "electronic trail" investigative system for fraud investigations.
- Received CARE Award (Customer service, Attitude, Respect, Empathy) in 2011.

**SEATTLE OFFICE FOR CIVIL RIGHTS, Seattle, WA**

**2000 – 2006**

**Senior Civil Rights Analyst**

- Analyzed and investigated hundreds of discrimination complaints filed with EEOC and HUD.
- Advised and counseled employers and employees individually and via training seminars.
- Mentored and trained new investigators.

**NORTHWEST LAW CENTER, LLC, Seattle, WA**

**Feb. – Oct. 2000**

**Attorney**

- Managed extensive litigation caseload involving family law and criminal defense.

**KING COUNTY PROSECUTING ATTORNEY, Seattle, WA**

**1999 – 2000**

**Deputy Prosecutor**

- Sought justice for victims in trials, hearings, motions, and plea bargain negotiations.

**EDUCATIONAL CREDENTIALS**

<b>Juris Doctor</b>	Seattle University School of Law
<b>Bachelor of Arts</b>	English and Sociology, Lewis and Clark College, Portland, OR
<b>SPHR</b>	Society for Human Resources Management
<b>Certificate</b>	Human Resources Management, George Mason University (online)
<b>Certificate</b>	Mediation and Dispute Resolution, University of Washington

**PROFESSIONAL AFFILIATIONS**

Washington State Bar Association (#28932)  
Society for Human Resource Management (#01629681)  
Association of Workplace Investigators  
Board Member and Committee President, Listen & Talk (since 1999)

**REFERENCES**

Available on request

September, 2017

## CURRICULUM VITAE

Brenda Williams

University of Washington School of Law  
Associate Dean for Students, Engagement and Equity, Lecturer  
W.H. Gates Hall – Box 353020  
Seattle, WA 98195  
(206) 685-3917  
Brenda3@uw.edu

### EDUCATION

- 1997      Juris Doctor  
The University of Washington School of Law  
Seattle, WA
- 1997      Master of Public Administration  
The University of Washington, Evans School of Public Affairs  
Seattle, WA
- 1994      Bachelor of Arts, Major - *Political Science*  
The University of Washington  
Seattle, WA

### PROFESSIONAL EXPERIENCE

- 2017 – Pres.      University of Washington School of Law  
*Associate Dean for Students, Equity and Engagement*  
Serve as the primary advocate for law students and exemplify the school's commitment to service, equity, and inclusion. Duties include supervising the Assistant Dean for Student & Career Services whose staff is responsible for enriching the student experience and enhancing the academic mission through career counseling, academic advising, and student life programming. With the Student & Career Services team, the Associate Dean coordinates student-focused all-school activities such as Foundations for Legal Studies first year law student orientation and graduation. Duties also include reporting directly to the Dean and engaging UW Law in strategic planning for equity and engagement; for nurturing a student-centered, culturally competent, collegial community; and for building collaborative relationships with stakeholders in the larger community.
- 9/2017 –  
12/2017      University of Washington School of Law  
*Associate Dean for Students, Equity and Engagement*  
Engage UW Law in strategic planning for equity and engagement; nurture a student-centered, culturally competent, collegial community; and for build collaborative relationships with stakeholders in the larger community.



- 2008 – Pres. University of Washington School of Law  
*Tribal Court Public Defense Clinic, Lecturer*  
 Represent defendants charged in the Tulalip Tribal Court, as court-appointed counsel. Duties include supervising second and third year law student advocates through client interviews, legal research and writing, discovery, depositions, negotiation, pleadings, motions *in limine*, and trials. Duties also include lectures, curriculum development, intensive team meetings and overseeing programs of the Native American Law Center including online programming for lay advocates.
- 2003 - Pres. University of Washington, Professional and Continuing Education  
 Paralegal Studies Certificate Program  
*Instructor (Online and Classroom)*  
 Litigation Basics and Litigation Specialties  
 Plan and present course material, grade assignments and meet with students. Instruction includes criminal law and procedure, child welfare protection, juvenile justice, family advocacy and introduction to litigation through an overview of civil procedure. Instruction is based in the Moodle Course Management System.
- 1998 - 2008. The Defender Association  
*Staff Attorney*  
 Represent indigent persons as court appointed counsel.  
 Duties included client interviews, legal research and writing, discovery, depositions, negotiation, pleadings, motions, trials and supervision of the Rule 9 intern program.
- 1998 – 2003 Misdemeanor, Felony, Juvenile, and Dependency Defender  
 2004 – 2004 Legal Intern Supervisor  
 2005 – 2008 Special Offender Commitment Defender
- 2006 - 2008 Office of Administrative Hearings  
 Employment Security Department  
*Temporary part-time Administrative Law Judge*  
 Conduct hearings and issue findings of fact and conclusions of law in unemployment benefit hearings on a part-time basis only.
- 2005 The University of Washington, Educational Outreach  
 Paralegal Studies Certificate Program, Online Program  
*Course Developer*  
 Litigation Specialties  
 Designed and prepared lectures and assignments for the online Litigation Specialties course.

#### TEACHING AND TRAINING EXPERIENCE

- 2008 - Pres. Lecturer  
 Tribal Court Public Defense Clinic, Native American Law Center. Prepare syllabi, present course materials and manage student caseloads in the

Tribal Court Public Defense Clinic of the Native American Law Center of the  
University of Washington School of Law

- 2005 - Pres. Manage all aspects of two online certificate courses including use of the Moodle Course Management System, grading, interacting with students and providing instruction on civil procedure and litigation specialties
- 2016 American Indian Law  
Prepared syllabus, lectures and exam for American Indian Law, an upper-level elective course providing a foundational overview of the fundamental principles of Federal Indian Law
- Criminal Procedure: Adjudication  
Prepared syllabus, lectures and exam for, an upper-level law school course providing detailed analysis of the fundamental constitutional principles and United States Supreme Court rulings on matters of criminal procedure.
- 2015 Worked in partnership with the Southwest Center for Law and Policy to develop and present a twenty week online Certificate in Lay Advocacy course, offered to members of remote Indian communities working on behalf of victims of domestic violence providing basic legal training on protection order motion practice, conduct of court hearings, basic rules of evidence and general advocacy for lay persons acting as advocates within individual tribal court systems.
- 2011 – 2012 Prepared syllabus, course materials, lecture and exam for LatCrit Theory, an upper level elective seminar providing an overview of LatCrit Theory from its origins to its present form as a branch of critical legal scholarship providing students with tools to understanding inter-group differences and transnational dynamics.
- 2005 - 2006 Developed online course materials for Litigation Specialties, an online course introducing paralegals to courtroom forms, process and representational support in criminal, dependency and family law cases
- 2003 - 2005 Managed all aspects of the Litigation Specialties Course for the University of Washington's Professional and Continuing Education's Paralegal Certificate Program, including lectures, grading and student conferences
- 2004 Developed Trial Advocacy training for Rule 9 intern law students at the Public Defender Office in preparation for jury trials and supervised intern jury trials in Seattle Municipal Court
- 2002 Developed and presented CLE on the Ethics of Representing Children in Juvenile Proceedings and Dependency Proceedings

## APPOINTMENTS AND ELECTIONS

- 2017- pres. Chair, UW Faculty Council on Multicultural Affairs  
2017- pres. Race & Equity Initiative Steering Committee  
2017 UW Task Force on the Undocumented Student Experience, Final Report, April 2017  
2016 UW Leadership Excellence Project: Thriving as a Change Agent in Academia  
2013 King County Public Defense Advisory Task Force, Final Report, August 2013  
2007 – 2011 El Centro de La Raza, Board Member, Secretary  
2007 – 2011 Seattle Central Community College Foundation, Board Member  
2007 - 2010 Elected, Board of Governors, At-Large seat, Washington State Bar Association  
2007 - 2010 Appointed (Washington State Supreme Court Appointment) Minority and Justice Commission  
2007 – 2010 Washington State Bar Association, Committee of Law Examiners  
2005 – 2007 Washington State Bar Association, Court Rules and Procedures Committee  
2005 – 2006 Latina/o Bar Association of Washington, President  
2004 – 2006 Initiative for Diversity Governing Council, LBAW representative  
2004 – 2005 Judicial Evaluation Committee Chair, Latina/o Bar Association of Washington  
2004 – 2005 Latina/o Bar Association of Washington, Board Member  
2006 – 2004 Washington State Bar Association, Civil Rights Committee  
2003 – Pres. The National Latina/o Law Student Association, Alumni Association, Founder  
1997 - 1997 The National Latina/o Law Student Conference, Founder

## AWARDS AND RECOGNITION

- May 2015 *Staff Commitment Advances Legal Education, S.C.A.L.E. Award*, Pacific Coast Banking, The University of Washington School of Law  
  
April 2008 *Outstanding Contribution to Women in the Law*, Law Women's Caucus, The University of Washington School of Law  
  
October 2003 *Excellence in Leadership Award*, The National Latina/o Law Student Association, The University of California, at Los Angeles

## SPEAKING ENGAGEMENTS

- 2016 *VAWA's Full Faith and Credit for Tribal Protection Orders*  
UW Law and Alaska: Partners in Legal Education  
  
2015 *Negotiating Deference to Tribal Authority*  
28<sup>th</sup> Annual Indian Law Symposium  
  
2015 *El Tribunal Indígena del Tlalip, Clínica de Defensa Pública: Los Estudiantes y el Ejercicio de la Abogacía*  
Universidad Nacional Autónoma de México (UNAM) Mexico, D.F.  
  
2014 *Compliance with the Provisions of TLOA and VAWA*  
27<sup>th</sup> Annual Indian Law Symposium

- 2013 *The Legal Ethics of Technology: Social Media and the Tribal Court Practitioner*  
26<sup>th</sup> Annual Indian Law Symposium
- 2013 *New Violence Against Women Act (VAWA) Indian Provisions*  
25<sup>th</sup> Annual WSBA Indian Law Seminar, Speaker
- 2012 *The Ethics of Tribal Court Practice*  
The Native American Law Center, Juvenile Justice Webinar Series
- 2012 *Indian Law Jurisdiction for State Court Practitioners*  
The Native American Law Center, Juvenile Justice Webinar Series
- 2012 *Ethical Issues and the Indian Law Practitioner: Unraveling Complex Roles*  
25<sup>th</sup> Annual University of Washington Indian Law Symposium, Panelist
- 2011 *Ethical Considerations in Tribal Court Practice*  
24<sup>th</sup> Annual University of Washington Indian Law Symposium, Panelist
- 2010 *Ethical Issues and Indian Law Practice*  
23<sup>rd</sup> Annual University of Washington Indian Law Symposium, Panelist
- 2010 *An Introduction to Lat Crit Theory*  
Race and the Law, University of Washington School of Law, Guest Speaker
- 2009 *Ethical Issues in Tribal Court Practice*  
22<sup>nd</sup> Western Regional Indian Law Symposium, University of Washington School of Law
- 2009 *Distinguishing the Criminal Process from the Civil Commitment Process*  
Mental Health Law, University of Washington School of Law, Guest Speaker
- 2007 *Culturally Competent Practice in Dependency Proceedings*  
Child Advocacy, University of Washington School of Law, Guest Speaker
- 2006 *Practicing Law in Seattle*  
Symposium for Minority Summer Associates
- 2006 *Does Diversity Divide?*  
Statewide Annual Diversity Conference: Washington Minority Bar Associations  
Collaboration Project
- 2006 *A Vision of Change: Coalitions amongst the Minority Bars*  
10<sup>th</sup> Annual National Latina/o Law Student Conference, Una década despues: Lessons  
learned, mobilizing change, y uniendo comunidades  
University of Washington and Seattle University Schools of Law
- 2005 *Minority Bars in Washington State*  
Legally Speaking radio show, KLAY AM 1180

- 2005 *Leaders in their Professions*  
Nordstrom Latina Empowerment Summit, Seattle, Washington
- 2005 *Diversity in the Judiciary*  
Annual Bar Leaders/Access to Justice Conference, Wenatchee, Washington
- 2002 *Ethical Issues Presented in the Representation of Children*  
The Defender Association, CLE, Seattle, Washington

#### BAR ADMISSIONS

- 1998 Washington State Bar Association
- 2008 Tulalip Tribal Court Bar
- 2010 Port Gamble S'Klallam Tribal Court
- 2010 Squaxin Island Tribal Court
- 2012 Skokomish Tribal Court
- 2012 Makah Tribal Court



## James T. Yand, Partner

Phone: 206.777.7404 | E-mail: james.yand@millernash.com

James T. Yand joined Miller Nash Graham & Dunn in 2012 as a partner and a member of the firm's litigation practice team. Jim has more than 20 years of experience resolving disputes for business owners and individuals in construction law, products liability, e-discovery, franchise and commercial law.

Clients in the Northwest and around the world know Jim as a reliable ally who practices with integrity and is focused on delivering results. Reputed for critical thinking and problem-solving, no matter the size of the case, Jim specializes in resolving high-conflict complex cases that often determine the continued success of the client's interest. He seeks effective resolutions with cost-efficiency. From discovery conducted in Hong Kong to local cases filed in Seattle, Jim leverages his local-national-global knowledge.

Jim is a frequently requested speaker for business and legal programs, providing guidance on legal industry protocol, e-discovery, and relationship development among attorneys.

### Education

J.D., Northwestern School of Law  
of Lewis & Clark College, *cum  
laude*, 1988

B.A., Portland State University,  
with honors, 1984

### Bar Admissions

Washington, 1989  
Oregon, 1988

### Professional Activities

- Washington State Bar Association Professionalism Committee (Chair 2006-2007)
- Oregon State Bar House of Delegates, elected member
- American Bar Association Forum on Franchising and Construction, member
- University of Washington Professional and Continuing Education Advisory Board, member
- American Subcontractors Association Attorney's Council, member and former chair (2011-2012)
- Northwest Wall & Ceiling Bureau, member
- University of Washington: Complex Litigation Course

### Civic Activities

- King County Bar Association Neighborhood Legal Clinic
- Open Door Legal Services Legal Clinic, advisory board member

### Personal Activities

Jim lives in Seattle with his wife and children. Born in Thailand and raised there until he was 12, Jim enjoys cooking Thai food for friends and family as his creative outlet.

### Publications

- "Unfair Business Practices Concerning Lien Waivers," Construction in the Court contribution, *The Contractor's Compass* (Nov. 2015)
- "Beware of Inadvertent Disclosure of Electronic Information," *The Contractor's Compass* (March 2015)

Continued on next page >>

- "BIM There, Done That: Creating Contracts That Capitalize on New Technology," *The Contractor's Compass* (Aug. 2013)
- "How To Keep Your Business' Digital Information Private," Puget Sound Business Journal (Dec. 14, 2012)
- Energy Code Revisions Ignite Renewed Interest in Use of EIFS," Miller Nash publication *Ground Breaking News* (Sep. 2012)
- "Professionalism in a Social Media Age," *King County Bar Association Bulletin* (May 2012)
- 2008-2011 *Lien and Bond Manual*, American Subcontractors Association (Alaska, Washington, and Oregon)
- "The Mining of Metadata: Navigating the Hidden Ethical Dangers of Discovering Hidden Information in Electronic Documents," *WSBA BarNews* (Sept. 2008)
- "Does Your Building Discriminate Against the Disabled: Guidelines for Bringing Existing Public Accommodations Into Compliance With the Americans With Disabilities Act," *4 Hofstra Property Law Journal* (1993)
- Coauthor: *Staying out of Court and in Business* (Archipelago Publishing 1997)
- "Do You Know Where Your Proprietary Information Is?" Puget Sound Business Journal (Aug. 2006)
- "Attorneys Just Say No to New Regulations on Debt Relief Agencies," *Oregon Debtor-Creditor Newsletter* (Winter 2006)
- "Lack of Standing Stalls Momentum on Challenges to Debt Relief Agency Regulations," *Oregon Debtor Creditor Newsletter* (Spring 2006)
- "Federal Judges Strike Down Portions of BAPCPA as Unconstitutional," *Oregon Debtor-Creditor Newsletter* (Fall 2006)
- "New Rules on Electronic Documents," *Northwest Wall & Ceiling Change Order Newsletter* (Sept. 2006)
- "Electronic Records Management—What You Need to Know to Reduce Legal Liability," *The Contractor's Compass* (Third Quarter 2008)

## Presentations

- Society for Design Administration, Seattle Business Practice presentation, "Construction Photos—Avoid Putting Your Selfie in the Cross Hairs," Jan. 21, 2016
- Washington State Bar Association CLE Everything You Need to Know About Metadata: Essentials and Advanced Topics, "Why is Metadata Problematic? The Essentials," Dec. 18, 2015
- Washington State Bar Association CLE Seminar, "Inadvertent Disclosure of Electronic Information," Aug. 21, 2015
- 2015 Northwest Wall and Ceiling Bureau Convention and Tradeshow, "Labor Productivity Study," April 17, 2015
- Washington State Bar Association Legal Lunchbox Series, "Tackling the Challenges of Professionalism," March 31, 2015
- Washington State Bar Association CLE Seminar, "Inadvertent Disclosure of Electronic Information and Ethics," March 20, 2014
- National Business Institute's Find it Free and Fast on the Net: Strategies for Legal Research on the Web seminar, "Government Internet Resources: Federal, State, and Local," Dec. 19, 2013
- National Business Institute's program Everything You Don't Know About E-Discovery (But Wish You Did), "E-Discovery Sources and Making Your Online Evidence Usable in the Courtroom," Apr. 24, 2013
- 2013 American Subcontractors Association Business Forum and Convention, "The Economic Loss Rule," Mar. 22, 2013
- Washington State Bar Association CLE Seminar, "Inadvertent Disclosure of Electronic Information," Feb. 21, 2013
- Co-presenter, Washington State Bar Association CLE seminar Litigation in the Other Court—Bankruptcy Litigation Skills and Techniques, "Discovery in Bankruptcy Cases," Feb 5, 2013

Continued on next page >>

- Puget Sound Chapter of the Construction Specifications Institute, "Legal Significance of Preparing Specifications," Oct. 11, 2012
- Washington State Bar Association CLE Seminar, "Inadvertent Disclosure of Electronic Information," Aug. 16, 2012
- Northwest Wall & Ceiling Industries Convention & Trade Show, "Who Ate My Lunch? Managing Warranty Costs Through Best Practices," May 11, 2012
- Lorman Education Services Seminar Presentation: "What to Do When Construction Projects Go Bad"
- WSBA Continuing Legal Education Seminar: "Inadvertent Disclosure of Evidence."
- Northwest Wall & Ceiling Bureau Productivity Seminar Presentation: "How to Put the Productivity Study to Work for You."
- Northwest Wall & Ceiling Industries 2010 Convention Presentation: "Using the Labor Productivity Document to Resolve Disputes."
- National Business Institute (NBI) Seminar on Keeping Up With E-Discovery Presentation: "Defining Electronic Discovery."
- Washington State Association for Justice (WSAJ) Legal Educational Seminar on Electronic Discovery Presentation: "Metadata Mining: Peeling Off the Layers of Computer-Generated Documents."
- Lorman CLE on Document Retention and Destruction Presentation: "Consequences and Dangers of Electronic Records."
- WSBA Advanced E-Discovery Conference Presentation: "Current Ethical Issues Relating to E-Discovery."
- Walla Walla Estate Planning Council Presentation: "eDiscovery and Electronic Records Management: Finding the Safe Harbor Through Best Practices."
- Superior Court Judicial Conference Presentation: "Admission of Electronic Evidence."
- Continuing Education for Engineers Presentation: "Electronic Records for Design Professionals."
- ASA Washington Panel Seminar Presentation: "Ten Top Tips for Troubled Times."
- WSTLA CLE Presentation: "Ethics: Watch Out!"
- Presiding Judges Conference CLE Presentation: "Leading New Technology in Courts of Limited Jurisdiction."
- Seattle University School of Law CLE Presentation: "Metadata Mining."
- Washington Women Lawyers (Kitsap County) CLE Presentation: "Nuts and Bolts of Electronic Discovery."
- Lorman Education Services CLE Presentation: "Consequences and Dangers of Electronic Records."
- WDTL 2008 Convention CLE Presentation: "Ethics in Electronic Warfare: Attorney Duties in E-Discovery."
- Washington State Bar Association 15th Annual Employment Law Institute Presentation: "Electronic Discovery: Information That Just Doesn't Go Away: Privacy and Evidentiary Issues."
- American Subcontractor's Association Presentation: "Avoiding Legal Traps of Electronic Documents."
- University of Washington Extension Program Litigation Basics Lecture: "Pitfalls of eDiscovery."
- Asset Development Strategies Presentation: "Contract Pitfalls."
- Architectural Woodwork Institute Presentation: "Contract Terms."
- National Business Institute CLE Presentation: "E-Discovery: Applying the New FRCP Changes."
- AIA/SDA Seminar Presentation: "E-Discovery: How It Affects Your Design Process."

### **Representative Experience**

**Employers Ins. of Wausau v. Plaid Pantries, 10 F.3d 605 (9th Cir. 1993).**

Successful representation of insurer claim for priority claim under Bankruptcy Code.

**Mauser v. City of Edmonds, 1997 Wash. App. LEXIS 1772 (1997).**

Defense of municipality and employees from civil rights claims in land use dispute.

Continued on next page »



**United States ex rel Graybar Elec. v. Overstreet Elec. Co.**, 2006 WL 1455652 (E.D. Wash., May 22, 2006).  
Representation of electrical contractor on claim arising from Chief Joseph Dam project.

**Atlas Equip. Co. v. Weir Minerals Australia Ltd.**, 2011 WL 52455 (9th Cir. Jan. 6, 2011).  
Successful representation of foreign manufacturer on claims of trade-dress violations.

**NWCCA v. Dep't of Labor & Indus.**, Wash. App. NO. 42018-0-11 (Feb. 2013)  
Representation of trade association on claims for retrospective insurance refund.

**ESA Mgmt Inc., v. Dryvit/Sto Corp.**  
Defense of siding manufacturer in litigation filed nationwide by national hotel owner against general contractors and product manufacturers.

**Beard v. Perrigo Co.**, No. 2:03cv00470 (W.D. Wash. Mar. 13, 2003).  
Representation of distributor in product defect claims arising from PPA medication.

**In re Western Empires.**  
Bankruptcy litigation in Oregon.

**Sub Bros. N. v. Subway.**  
Franchise dispute over territorial rights.

## **ATTACHMENT 16**

# Jacob Benjamin Starsky

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1534 NW 53<sup>rd</sup> Street Apt. 202 | Seattle, WA 98107

starsky@uw.edu | 623.363.3029

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## Summary of Qualifications

Goal oriented, experienced team leader able to use creative solutions and well-honed strategy to problem solve. Consistently exhibits superior performance in researching, planning and implementing events, policies and programs with incredible attention to quality and detail. Demonstrates excellence in managing multiple projects at once and completing tasks within tight timelines. Proven ability to identify emerging trends, engage stakeholders and maintain positive, professional relationships with volunteers, students and community partners. Possesses outstanding communication skills and writing ability.

## Education

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### Ph.D., Educational Leadership & Policy Studies (In Progress)

University of Washington | Seattle, Washington

### M.Ed., Urban Education (2009)

Temple University | Philadelphia, Pennsylvania

Thesis: *Changing The Rules of the American Dream: An Analysis of Policy on Undocumented Students in Arizona & California*

### B.A.E, Secondary Education - History (magna cum laude, 2007)

Arizona State University | Tempe, Arizona

## Program Management, Teaching & Student Affairs Experience

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### Program Manager

University of Washington, Continuum College | 2016–Present

- Manages 9 continuing education certificate programs offering non-credit & credit courses (online, onsite & hybrid)
- Primary lead for ongoing ABA accreditation of Paralegal program in conjunction with the UW School of Law
- Maintains relationships with industry leaders in multiple diverse fields ranging from business to literary writing
- Ensures consistency in online and onsite course offerings, quality and rigor across portfolio

### Pre-Doctoral Associate Faculty

University of Washington, College of Education | 2014-2016

- Developed & instructed courses in the undergraduate program (EDUC 299, 305 & 310)
- Re-sequenced & partially restructured undergraduate curriculum
- Crafted 8 new courses with original syllabi, reading assignments and teaching materials
- Supported the Associate Dean in the development of a new undergraduate major by benchmarking peer institutions and soliciting input from industry & community partners

### Program Director

BBYO Inc. | 2011-2014

- Directed operations of a multi-state youth leadership program, reaching 1200 participants with yearly membership growth over 15%
- Directly supervised two paid staff members while recruiting & managing 25 volunteer chapter advisors
- Managed comprehensive membership database & provided detailed reports to local and international contacts
- Planned & managed a \$500,000 regional budget with return on service over 5%
- Negotiated contracts with hotels, charter buses, food service providers and other vendors
- Prepared & administered over \$45,000 in annual grants (new requests and renewals) while stewarding 15 major donors (\$1,000+)

### Pre-Doctoral Research Associate

University of Washington, College of Education | 2009-2011

- Provided support to the Faculty President related to scholarly, administrative & policy matters
- Assisted in the development of several course syllabi & concentration requirements
- Ensured the alignment of departmental course offerings with university policies & graduation requirements

### Graduate Extern

Temple University, Office of Student Activities | 2007–2009

- Coordinated with an outside vendor on the development of a new student organizations database
- Supported 350+ student organizations with policy compliance, event planning and leadership development
- Advised the Temple Student Government (Executive, Legislative & Judicial Branches)
- Assisted with the planning and day-of responsibilities for several campus-wide events

## Leadership, Awards & Volunteering

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### BBYO Inc

Arnie Weiner Award for Professional Excellence | January 2013

# **ATTACHMENT 17**

**MEMORANDUM OF UNDERSTANDING**  
**Between the UW School of Law and UW Continuum College ("UWC<sup>2</sup>")**  
**to seek sponsorship of the UWC<sup>2</sup> Certificate in Paralegal Studies**

**1. Background**

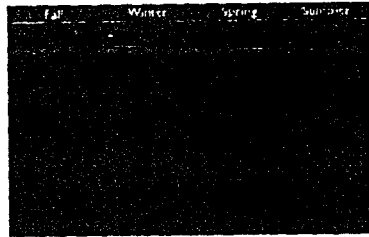
UWC<sup>2</sup> has offered a non-credit Certificate in Paralegal Studies to the public for several years. The School of Law originally sponsored the Certificate program several years ago, but formal sponsorship has lapsed. In the intervening years, competing programs have been approved by the American Bar Association (ABA) and the WA Limited License Legal Technician (LLLT) Board.

UWC<sup>2</sup> wishes to obtain approval of the Certificate program by the ABA and the LLLT Board, and the School of Law wishes to assist UWC<sup>2</sup> in these efforts, and reinstate its sponsorship of the Certificate.

**2. Scope and Roles in the Sponsorship and ABA and LLLT Board Approval Process**

In general, the scope and roles of each of the parties will be as follows (with implementation of these general goals as mutually agreed):

- (a) UWC<sup>2</sup> retains ownership, control, and financial risk of the Certificate program, and is responsible for the costs of obtaining LLLT and ABA approvals, including the costs of any needed site visits by ABA and the LLLT Board.
- (b) UWC<sup>2</sup> will administer on-going Advisory Board meetings.
- (c) The School of Law will appoint individuals to serve on the Certificate's Advisory Board, and assist in recruiting additional qualified individuals to the Advisory Board as required by ABA. In this role, these individuals will assist in the creation of an ongoing program assessment, credentialing and course approval process that complies with the University of Washington's administrative requirements and LLLT/ABA standards.
- (d) The Law School will reinstate its prior sponsorship of the Certificate program and, by virtue of its doing so, assumes such obligations, and only such obligations, as are set forth in this agreement. The sponsorship may be reviewed by UWC<sup>2</sup> or the School of Law as part of the normal ABA interim and seven-year re-approval process. The ABA process requires periodic UWC<sup>2</sup> reporting on the Certificate program, and UWC<sup>2</sup> will provide a copy of such reports to the School of Law Dean or their designee. Reports typically include Advisory Board recommendations and a summary of the program's status (e.g.: enrollments and successful completions, instructor performance and program stability, etc.) as required by the ABA. Reports may also include supporting documents such as instructor evaluations, student exit surveys and updated/new course syllabi and instructor resumes. If necessary, the School of Law will collaborate with UWC<sup>2</sup> in providing materials required for ABA approval but only with respect to any such materials under the School of Law's control.
- (e) Both parties acknowledge that the requirements for initial LLLT Board and ABA approval are specific and detailed. UWC<sup>2</sup> is responsible for the work and labor required to obtain these approvals, provided that the School of Law will reasonably cooperate to provide to UWC<sup>2</sup> or to the relevant approval authority, as the case may be, such materials and/or data under its control as may be required in connection with the approval process.
- (f) In FY18, learning outcomes for the Certificate were aligned with LLLT & ABA requirements while the number of required courses expanded from nine to twelve. Course syllabi were redrafted and re-sequenced to standardize each course into a discrete three (3) CEU offering covering specific content with the program covering four (4) quarters as seen in the chart below. Notably, Summer quarter will be exclusively online.



- (g) Tentatively, the UWC<sup>2</sup> will receive a site visit by the LLLT Board in Autumn 2018 and anticipates making arrangements for ABA approval in FY 2019.

### 3. Term

This agreement is effective upon signature by both parties, and may be terminated at any time by either party. Any such termination will simultaneously terminate the School of Law's sponsorship of the Certificate program.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding, by their respective duly authorized officers, on the dates indicated below.

By: \_\_\_\_\_

Anita K. Krug, Interim Toni Rembe Dean, UW  
School of Law

Date: 10-24-17

By: \_\_\_\_\_

Roxy P. Branon III, Vice Provost, UW Continuum College

Date: OCT 27 2017

Cc:

Erik Bansleben, Senior Director, UWC<sup>2</sup>  
Sandra Janusch, Assistant Vice Provost, UWC<sup>2</sup>  
Jennifer Buck, Senior Director of Enterprise Services, UWC<sup>2</sup>  
Ben Starsky, Program Manager, UWC<sup>2</sup>  
Malia Morrison, Program Director, UWC<sup>2</sup>  
Patricia C. Kuszler, Professor, School of Law

## **ATTACHMENT 18**

## PROFESSIONAL & CONTINUING EDUCATION

UNIVERSITY of WASHINGTON



# CERTIFICATE IN PARALEGAL STUDIES

A LLLT APPROVED PROGRAM  
SPONSORED BY THE UW SCHOOL OF LAW

## OVERVIEW

Gain an understanding of the American legal system, including court systems, hearings, trials and laws. Examine legal theory and reasoning. Learn about the role of the paralegal and gain practical skills in many areas of litigation support.

## WHAT THE PROGRAM COVERS

- Introduction to the legal system and its institutions
- Litigation and the life cycle of a lawsuit
- Legal research and writing
- Business law
- Legal specialties, including criminal law and family law
- Complex litigation
- Professional responsibility & ethics
- Law office procedures and technology

## A PROGRAM ENDORSED BY THE LLLT BOARD

- Designed to prepare graduates for employment as LLLTs, paralegals, or other law-related occupations
- Provides the LLLT core education required for the UW School of Law LLLT program (graduates can provide limited legal services directly to the public as permitted by APR 28 & Appendix APR 28 Regulations)

## PROGRAM STARTS

September 2017

## FORMAT

Blended

## LOCATION

UW Seattle Campus

## APPLY

Online

## CONTACT

enrollmentservices@pce.uw.edu  
800-506-1325

## ADMISSIONS REQUIREMENTS

- Bachelor's degree
- College-level course work (taken as part of a bachelor's degree or at another time) in English-composition and/or oral communication
- The ability to work independently, manage projects, remain objective, attention to detail and proficiency with modern office technology

enrollmentservices@pce.uw.edu / 800-506-1325 / [keeplearning.uw.edu](http://keeplearning.uw.edu)



## **ATTACHMENT 19**

## **CERTIFICATE IN PARALEGAL STUDIES**

[www.pce.uw.edu/certificates/paralegal-studies](http://www.pce.uw.edu/certificates/paralegal-studies)

### **PROGRAM DETAILS**

Location: UW Seattle, Online  
Duration: 11 - 17 months  
Times: Evenings, Flexible  
Cost: \$7,740  
Next start date: September 2018

### **ABOUT THIS PROGRAM**

Paralegals play a vital role in the legal profession, providing key support services to attorneys in both public and private practice. Paralegal training has also grown in importance as many states — especially Washington — look to expand access to affordable legal representation, particularly in the areas of housing, family law and health care. As a result, job growth in the field is extremely robust.

In this certificate program, you'll gain a solid understanding of the U.S. legal system and acquire the key knowledge and skills needed to work as a paralegal. We'll explore major aspects of court systems, hearings, trials and laws and explore essential subjects such as litigation, legal research, contracts, technology and professional ethics.

► Related Article: Hot Jobs: Paralegal

### **DESIGNED FOR**

Paralegals and those seeking to become paralegals or enter other law-related occupations.

## **REQUIREMENTS**

### **ADMISSION REQUIREMENTS**

- Bachelor's degree from an accredited college or university
- Completion of college-level course work in English composition and/or oral communication (test scores may be submitted in place of this coursework)
- Relevant skills, including the ability to work independently, manage projects, remain objective, attend closely to detail, and be proficient with modern office technology

### **TRANSFER REQUIREMENTS**

This program allows students to apply a limited number of transfer credits from similar programs. Credit transfers are subject to these restrictions:

- No more than 15 quarter credits/CEUs or their equivalents (see the chart on page 22 of the American Bar Association guidelines) can be transferred
- No online course credits can be transferred

To successfully transfer credits, a student must:

- Provide an official transcript showing a grade of a B or better in the course(s)
- Provide a syllabus or similar comprehensive summary of the course(s) being transferred
- Provide proof that the course(s) were taken in the classroom (rather than online)
- Indicate whether the college is approved by the Limited License Legal Technician (LLLT) program or the American Bar Association (at least one is required)

We reserve the right to accept or reject transfers based on how closely the transferring course(s) match our course offerings.

### **ENGLISH PROFICIENCY**

If you're not a native English speaker, you'll need to have advanced English language skills to enroll. To learn more, see English Language Proficiency Requirements.

### **INTERNATIONAL STUDENTS**

To enroll, international students must have a visa that permits study in the United States. This program does not enable students to obtain or maintain F-1 visa status. For more information, see Admission Requirements for International Students.

**TECHNOLOGY REQUIREMENTS**

You must have access to a computer, and we recommend a high-speed internet connection.

**EARNING THE CERTIFICATE**

You earn the certificate by adhering to the program's attendance policy and successfully completing all required courses. For more information, see Earning the Certificate.

**WHAT YOU'LL LEARN**

- Legal theory and reasoning
- Fundamentals of legal research, writing and analysis, including terminology and resources
- All major aspects of litigation, covering areas such as criminal, environmental and family law
- Essential topics in business law, including contracts, corporations, real estate and banking
- Preeminent concerns related to professional and ethical responsibility in the legal field

**PROGRAM GOALS**

In an effort to ensure the quality and rigor of this certificate program, it aligns with specific program goals.

•

**PROGRAM SESSIONS****BLENDED (CLASSROOM + ONLINE)****SEPTEMBER 2018 NONCREDIT**

- UW Seattle, Online
- 11 months
- TBD

**APRIL 2019 NONCREDIT**

- UW Seattle, Online
- 17 months
- TBD

**CLOSED SESSIONS****SEPTEMBER 2017 NONCREDIT**

- UW Seattle, Online
- Flexible, Evenings
- 11 months
- \$7,740

**RELATED OFFERINGS**

- Contract Management & Negotiation
- Guardianship
- Private Investigation

## **ATTACHMENT 20**

**WASHINGTON STATE  
BAR ASSOCIATION**

Regulatory Services Department  
Review of UW Application

Limited License Legal Technician (LLLT) Board Site Team

October 30, 2017

Benjamin Starsky  
Professional Programs Manager  
Professional and Continuing Education/International and Academic Programs  
University of Washington Continuum College (UWCC)  
University of Washington Tower, Box 359485

Re: UWCC Continuum College Application for LLLT Board Approval

Dear Mr. Starsky,

The Site Team reviewed your application and decided that more information is needed in order to fully and fairly assess UWCC's application seeking permission to provide LLLT core curriculum education.

At our October 12<sup>th</sup> meeting we closely scrutinized the UWCC submission and unanimously agreed that in order to effectively conduct our review we need detailed answers to several questions the most important being:

- How is the instructional component of the UWCC paralegal program currently delivered? That is, what courses are traditionally offered in the fall, winter and spring quarters and will this delivery format remain the same or change if the UWCC application is approved?
- Is there an existing advisory committee for UWCC's paralegal program? If there is such a committee, will it oversee those elements of your program which will focus on LLLT core curriculum education?
- Have you produced a "crosswalk matrix" displaying UWCC's existing paralegal classes and any new courses and how they discharge the LLLT core curriculum learning objectives?
- How does UWCC prepare its students to segue from LLLT core curriculum education to the specialized curriculum currently taught at the University of Washington Continuing Education Program? Are strategies and tactics for doing so employed in classes, institutionally through such devices as academic advising and/or in other fashions?
- What was the process employed by UWCC in deciding to seek approval to teach LLLT core curriculum courses; who participated in the decision making and what was the process used in reaching the decision to go forward?
- How does UWCC currently promote its paralegal program? Will those practices continue if approval to provide core curriculum education is granted and/or will they be altered in any fashion?
- Please provide the curriculum vitae or resumes of all persons who shall teach classes designed to discharge the LLLT core curriculum educational requirements; and
- Please provide copies of 2 or more assignments from each of the prerequisite classes (Civil Procedure, Contracts, Interviewing and Investigation Techniques, Introduction to Law, Law Office Technology, Legal Research and Writing, and Professional Responsibility, or their equivalents); please also produce 1-2 graded assignments for each class if available.

The Site Team would be happy to meet with you (telephonically or in person) to discuss the contents of this letter and what is needed in order for us to accurately assess UWCC's application.



## **ATTACHMENT 21**



CONTINUUM COLLEGE  
UNIVERSITY of WASHINGTON

**WSBA LLLT Site Visit  
Paralegal Studies Program**

**Monday, March 26, 2018**

When	Where	What	Who
9:00 AM - 9:30 AM	T-22, Alki Conference Room	Welcome by Ben	Ben
9:30 AM - 10:00 AM	T-21, 12 person Conference Room	Program Administration	Ben, Malia Morrison & Erik Bansleben
10:00 AM - 10:30 AM	T-21, 12 person Conference Room	Curriculum Development	Ben & Jan Kinney
10:30 AM - 11:30 AM	T-21, 12 Person Conference Room	Online Content	Ben & Laura Swartley
11:30 AM – 1:00 PM	T-22, Alki Conference Room	Lunch & Site Team Visit Break	
1:00 PM - 2:00 PM	T-19, 12 Person Conference Room	Student Support	Ben & Enrollment Services
2:30 PM - 3:30 PM	Law Library	Legal Resources - Law Library	Ben & Librarian

**Tuesday, March 27, 2018**

When	Where	What	Who
<del>Noon - 1:00 PM</del>	T-22, Fremont Conference Room	Advisory Board Lunch	Ben & Advisory Board
<del>1:00 PM – 1:30 PM</del>	T-22, Queen Anne Conference Room	Site Team Visit Break	
<del>1:30 PM – 2:30 PM</del>	T-22, Queen Anne Conference Room	Follow Up Questions	Ben
3:00 PM - 4:00 PM	T-13, 12 Person Conference Room	Legal Resources - Westlaw Walk Through	Ben & Judi Maier
4:00 PM - 5:00 PM	T-13, 12 Person Conference Room	Chat with Instructors	Ben, Judi Maier, Bruce Wiener, Steven Zwerin & Hina Arai
5:00 PM - 6:00 PM	T-Mezz, Visitors' Dining Room	Chat with Students	Ben & Students
6:00 PM – 7:00 PM	HST, T498	Classroom Observation	Judi Maier & Students

## **ATTACHMENT 22**





WSBA

## LLLT CORE CURRICULUM PROGRAM APPLICATION

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## Introduction

These Washington Limited License Legal Technician (LLLT) Educational Program Approval Standards ("Standards") have been adopted by the Washington Supreme Court Limited License Legal Technician Board as the official criteria for approval of programs that offer the LLLT core education in Washington State. The authority to grant and withdraw approval is vested in the LLLT Board pursuant to Admission and Practice Rule (APR) 28D (3). The current version of the Standards can be found at: <http://www.wsba.org/Licensing-and-Lawyer-Conduct/Limited-Licenses/Legal-Technicians>.

Numbers in the application denoted by (S#-#) refer to the Standards.

Consistent with APR 28D, an LLLT education program under the Standards is a legal studies program that offers all the required LLLT core education courses with course content as approved by the LLLT Board and offers sufficient legal studies elective courses that prepare students to take and pass the LLLT core exam.

For purposes of this application:

- a) "APR" means the Washington Supreme Court's Admission and Practice Rules;
- b) "Board" means the Washington state APR 28 Limited License Legal Technician Board;
- c) "Program" means an educational entity or unit within the educational institution that provides the LLLT core education including sufficient legal studies elective courses that prepare students to take and pass the LLLT core exam.
- d) "Classroom instruction" means instruction that takes place in a classroom, face-to-face, live synchronous online format, or other educational setting where the instructor and students interact in real time;
- e) "Director" means the person at the institution who has ultimate responsibility for, and authority over, the Program;
- f) "Hybrid instruction" means a learning environment that is a combination of classroom and online instruction;
- g) "LLLT" means a person qualified to engage in the limited practice of law in approved practice areas as defined by APR 28B(4) and pursuant to APR 28;
- h) "LLLT core education" means 45 quarter credit hours of core curriculum instruction in legal studies as set forth in APR 28D(3)(b) and Appendix APR 28 Regulation 3A;
- i) "Online instruction" means any asynchronous learning environment that is not classroom instruction as defined above;
- j) "Paralegal" means a person, qualified by education, training, or work experience who, under the supervision of a lawyer, performs specifically-delegated substantive legal work for which a lawyer is responsible; and

In order to become and remain endorsed, a Program must demonstrate that it meets the criteria set forth in the Standards.

## Application for Approval of LLLT Core Curriculum Program

Institution Name: University of Washington

Program Name: Paralegal Studies

Address: 4333 Brooklyn Avenue NE, Box 359485

City: Seattle State: WA Zip: 98195

Telephone Number: 206.616.6932 Fax Number: \_\_\_\_\_

Institution Website URL: http://www.washington.edu/


Program Website URL: https://www.pce.uw.edu/certificates/paralegal-studies

*We hereby certify that the information and materials contained in this report and supporting exhibits are complete and accurate to the best of our knowledge. We agree to adhere to the application review schedule and pay all fees as required.*

Institution President or Dean: Rovy Branon

Signature:  Digitally signed by Rovy Branon  
DN: cn=Rovy Branon, o=University of Washington,  
ou=Continuing College, email=branon@uw.edu,  
c=US  
Date: 2017.06.08 15:00:28 -07'00'

Program Director: J. Benjamin Starsky

Signature:  Digitally signed by  
starsky@uw.edu  
DN: cn=starsky@uw.edu  
Date: 2017.06.08 15:16:11 -07'00'

E-Mail Address of Program Director: starsky@uw.edu

Date Submitted: 6/13/2017

### Program Management

1. (S2-1) Does the Program have published, measurable goals related to the LLLT education that are assessed on a regular basis with changes made to the Program and curriculum as needed?

- ☒ Yes  
☐ No

If YES, please attach a document that details the goals of the Program. Please state where these goals are published:

The Program's goals are attached and published on the Program website.

2. (S2-2) The program must have an Advisory Committee that meets at least twice annually. The Advisory Committee must be comprised of practicing lawyers from the public and private sector, practicing LLLTs from the public and private sector (if and when available), paralegals with civil practice experience, faculty, school administrators, at least one member of the public from the community the Program serves, and an LLLT student (optional). The Advisory Committee shall be responsible for:

- (a) assisting in selecting additional Advisory Committee members as needed;
- (b) advising regarding admission standards for students;
- (c) advising in selecting competent instructors;
- (d) informing the Program about changes and trends in the legal field;
- (e) assessing the job market and developing career opportunities for LLLTs and other legal professionals;
- (f) creating awareness of the Program; and
- (g) assessing the effectiveness of the Program in terms of meeting curriculum objectives, meeting the needs of the legal community, and evaluating graduate job placement and success.

Minutes of the meetings must reflect the substance of discussion related to the Program and the names of those in attendance.

Does your Program currently have an advisory committee that meets the above description?

- ☐ Yes
- ☒ No

If YES, please attach minutes of the last two meetings and a committee roster.

If NO, please confirm if your Program will create and maintain an advisory committee in accordance with the above standards:

- ☒ Yes
- ☐ No

3. (S2-3) Does the institution have, for both students and employees, a publicly-stated non-discrimination policy consistent with federal and state law and a policy for the accommodation of persons with disabilities?

- ☒ Yes
- ☐ No

Please attach the policy to your application or provide a link: [Equal Opportunity and Affirmative Action](#)

Does the Program or its parent institution have in place a diversity and inclusion plan that promotes, ensures and encourages a safe and inclusive learning environment?

- ☒ Yes
- ☐ No

Please attach a copy of the diversity and inclusion plan or provide a link: UW Diversity Blueprint

4. In Template I, identify the Department/Program options that will be available to the LLLT Student, i.e. BA, BS, AAS, AA, post-two year degree Certificate, post-baccalaureate Certificate, and complete the Enrollment Chart.

## Program Design

5. (S3-1) Provide the name of the agency that accredits the Institution, the most recent date of accreditation, and the current status of the accreditation:

Name of Accrediting Institution: Northwest Commission on Colleges and Universities

Date of Affirmation of Accreditation: January 27, 2014

Status of Accreditation: Reaffirmed (Letter attached)

6. (S3-3) Does your Program's curriculum incorporate instructional methods that emphasize critical thinking, teamwork, information literacy, competent oral and written communication skills commensurate with those expected in the legal profession, technical skills, and development of the practical skills needed to work as LLLTs, paralegals, or other legal professionals in the legal community the Program serves?

- ☒ Yes  
☐ No

Please describe how your program assesses your instructional methods to ensure the above:

7. (S3-4) The Program must engage in regular, structured, and documented assessments of how well the Program is meeting its stated goals. The assessment plan must include:

- (1) the method by which students evaluate the faculty and the courses, which may include instructional materials and assessment methodology;
- (2) the method by which the Program assesses student and graduate satisfaction with the program;
- (3) graduates' perceptions of how well the Program prepared them for work as an entry-level LLLT or paralegal;
- (4) the frequency with which each type of assessment is conducted;
- (5) the date the assessment was last conducted;
- (6) a description of the analysis conducted of the assessment results;
- (7) a summary of actions taken in response to the assessment results; and
- (8) the method by which the results are shared with the faculty and Advisory Committee.

The assessment may also include the employment community's satisfaction with the Program's graduates.

Please attach a written assessment plan that responds to the standard above.

8. Using Template II, please provide a list of your LLLT core curriculum course offerings and a list of other classes that may be taken as legal studies electives.

9. (S3-5) Explain how the LLLT Core Curriculum courses:

- (1) (S3-5b) balance theoretical teachings with practical, skills-based course content. Please attach examples of assignments for at least three required core curriculum courses that demonstrate this balance.
- (2) (S3-5c) align courses. Provide attachments which show how the course content (objectives) of each required LLLT core education course are aligned with the course content (objectives) as established and published by the LLLT Board.

Answers to questions (1) and (2) of (S3-5) have been combined to demonstrate how courses in the Program maintain alignment with the content objectives established and published by the LLLT Board via a balance of theoretical teachings with practical, skills-based course content.

Examples of this balance and the content alignment include:

- a. Introduction to Law and Legal Practice (PARA 100) is the primer for students entering the Program. In this course students will learn about state and federal courts, how they function and the roles of their participants (judges, juries, paralegals and attorneys). Readings will provide students with an overview of the content they will encounter (and master) later in the Program as well as important substantive fields of law not covered elsewhere including torts, wills and tribal law. At the completion of this course, students will be able to articulate court procedure from filing the complaint through appeal, succinctly summarize cases and apply court rules at an introductory level.
- b. Legal Research, Writing & Analysis I (PARA 105) introduces students to techniques of legal reasoning, analysis and synthesis. The initial section of the course focuses on sources of law, the differences between case law, statutory law and administrative law with a culminating exercise on the use of a Law Library. Students will also explore authentic legal documents while working on assignments that review citations, proofreading and formatting. Student continue to expand their theoretical understanding of legal writing while the instructor scaffolds students toward master of memorandum over multiple revisions (each of which are evaluated by the instructor).
- c. Civil Procedure & Litigation I (PARA 115) continues student instruction in the federal and state course systems. Students will learn about the concepts of jurisdiction and venue, motions (and how to use best use them), causes of action and discovery practice. These concepts will be applied through the preparation of pleadings and defenses along with the formation of an effective discover plan (including how to prepare and take depositions). Assignments include preparing a complaint with a minimum of three (3) causes of action, an answer with affirmative defenses and a cross or counter claim.

During the spring of 2017, the entire curriculum of the Program was refreshed using the LLLT core education courses and course content requirements as a template. All 12 classes meet the requirements.

10. (S3-6) State the criteria for accepting LLLT Core Curriculum courses in transfer and the procedures used to protect the academic quality and integrity of the LLLT Program:

To protect the academic quality and integrity of the LLLT Program, applicants wishing to transfer courses to the UW Continuum College Paralegal Studies Program will be required to follow the four steps outlined below:

- Students must provide official transcripts showing a grade of a 'B' or better
- Students are required to indicate whether the college is LLLT or ABA approved
- Students must provide a syllabus or similar comprehensive summary of the course which was completed
- Students must provide proof that the course was in traditional classroom format
- No online classes will be allowed to be transferred

UW Continuum College reserves the right to accept transfer courses based on how closely they match the Program's course.

State the limits on the number of LLLT Core Curriculum courses that may be accepted in transfer from other LLLT Program institutions:

No more than 15 quarter credits/CEUs (or their equivalents, per the chart on page 22 of the ABA Guidelines) will be permitted to be transferred.

State where these policies and procedures are published:

These policies and procedures are published on the Program website.

11. (S3-7) The LLLT Program director and faculty must design online and hybrid online courses taking into account the constraints imposed by online delivery to ensure that there is:

- (a) technical training on and orientation to any alternative learning systems provided to and required of faculty prior to their assignment as instructor for a course that uses such a system;
- (b) technical support available to students and faculty;
- (c) interaction between faculty members and students and among students;
- (d) a system to verify the identity of the student submitting work or taking an examination;
- (e) a determination of whether the online instruction meets the credit hour requirements of Standard 3-8 ("*one quarter credit hour is at a minimum equivalent to 450 minutes*") based on a careful review of a detailed outline of the online activities for each online or hybrid online course, including hours allocated to each activity. Such online activities may include lectures, discussions, quizzes, diagnostic exercises, assignments and tests.
- (f) no dilution of the course objectives and outcomes for the purpose of allowing delivery by online means;
- (g) faculty accessibility to students through means appropriate for the online format to provide feedback promptly to students regarding their assignments and questions; and
- (h) assessment of the effectiveness of the online format.

Will your program design and utilize online and hybrid courses?

- ☒ Yes  
☐ No

## Faculty

12. (S4-1) Do the Director and instructors in the Program possess education, knowledge, and experience about the LLLT or paralegal professions and the utilization of LLLTs or paralegals in the delivery of legal services?

☒ Yes

☐ No

13. (S4-2) The Program instructors must meet at least twice annually with 100% attendance. Unless otherwise delegated, the agenda is set by the Program Director, who presides over the meeting. Meetings of the faculty must address issues beyond the area of program administration and class management to include such areas as program and course delivery modalities, teaching techniques and effectiveness, and learning outcome relevance and assessment. Minutes of the meetings must reflect the substance of the discussions and the names of those in attendance.

If you have already held meetings of the LLLT Program Instructors, please attach meeting minutes for the last two meetings.

14. (S4-3) Is ultimate responsibility for, and authority over, the Program administered by a full-time faculty member or administrator of the institution?

☒ Yes

☐ No

If YES, state the name and title of the person who serves as LLLT Program director:

Name: J. Benjamin Starsky Title: Professional Programs Manager

Please attach a current resume for the LLLT Program Director.

Indicate the name and title of the staff member who has primary responsibility for each of the following functions:

Advising LLLT Program students:

Name: Jennifer Randish Title: Enrollment Coach

Updating the Washington State Bar Association and the WSBA's LLLT Board on substantial program Changes:

Name: J. Benjamin Starsky Title: Professional Programs Manager

Identifying and responding to the occupational and educational needs of the community:

Name: J. Benjamin Starsky Title: Professional Programs Manager



Coordinating the educational LLLT Program:

Name: J. Benjamin Starsky Title: Professional Programs Manager

Evaluating the overall LLLT Program including regular assessment of the legal community, students, graduates, and employers as required:

Name: J. Benjamin Starsky Title: Professional Programs Manager

Please use Template III to list all LLLT Program Faculty.

15. (S4-4) Does the Director of the Program have adequate support, including budgetary and administrative support, to accomplish the goals and objectives of the Program?

- ☒ Yes  
☐ No

Please explain:

The Director of the Program has considerable support to accomplish the goals and objectives of the Program. The Program Director has operational support from a full-time staff member responsible for scheduling and reserving classrooms and classroom support services. This Program Coordinator is also responsible for managing Program instructor contracts as well as the teaching evaluation forms. The Program Director has student service support from two (2) full-time staff members responsible for advising pre-application students as well as current students. Finally, the Program Director has the support of the Senior Director of Academic Programs as well as the Assistant Vice Provost for the Program's budget.

## **Program Services**

16. (S5-1) All Program literature, material, and information whether oral, print, or electronic must:

- (a) identify that it is offered to prepare graduates for employment as LLLTs, paralegals, or other law-related occupations;
- (b) inform students and potential students that LLLTs may provide limited legal services directly to the public only as permitted under APR 28 and Appendix APR 28 Regulations; and
- (c) advertise truthfully, accurately and not mislead by statement or omission regarding any aspect of the Program, the LLLT profession, or job opportunities.

Please provide links or copies of all LLLT-related literature provided by your institution.

Please see attached document and the Program website at:

<https://www.pce.uw.edu/certificates/paralegal-studies>

17. (S5-3) Does the Program have a process for educating students and graduates about satisfying the core education requirements and about employment opportunities as an LLLT, paralegal, or other legal paraprofessional?

- ☒ Yes  
☐ No

If YES, please describe the process:

The Program's website has content regarding the core education requirement, employment opportunities and also has a direct link to the UW School of Law's LLLT Program. Additionally, the Program's "advisor" – Jennifer Randish (Enrollment Coach) – is available to educate students on these issues before enrollment while Oscar Whiteman (Student Specialist) assists Program students to successfully complete the core education requirements.

### Library and Legal Resources

18. (S6-1) Does the Program provide to all Program students, either electronically or through access to a library, current resources that are relevant to and adequate for the courses being taught?

- ☒ Yes  
☐ No

If YES, describe how the Program ensures that its resources are current and relevant to the LLLT coursework:

The Program's resources are coordinated annually by the Program Director in collaboration with the Advisory Board and Program instructors to ensure that they are current and relevant to the LLLT coursework. The Program Director also benchmarks the Program resources against other LLLT and ABA approved programs on an annual basis.

19. (S6-2) At a minimum, the Program must provide access to:

- (a) The Revised Code of Washington, the Washington Administrative Code, and Washington Court Rules;
- (b) The reporter(s) for the Washington state appellate courts or the Pacific reporter along with Washington Practice and other corresponding digests and resources to validate those sources;
- (c) A current legal encyclopedia and current legal dictionary;
- (d) Texts, practice manuals and/or form books appropriate to each LLLT course;
- (e) Resources and legal materials about developments and current issues in the LLLT and paralegal professions;
- (f) Relevant federal materials such as the United States Code and federal case law and reporters; and
- (g) A citator resource to check on the currency and validity of primary source materials for Federal and Washington state law.

The Program provides all Program students a subscription to Westlaw and login credentials to the University of Washington's internet allowing them access to the United States Code, Shepherd's Citation

Service and Black's Law Dictionary. The University of Washington also provides Program students access to the Gallagher Law Library. Program students are also provided copies of local, state and federal rules (at no additional cost) during their first quarter in the Program.

## **Facilities**

20. (S7-1) Do the classrooms, offices, library, computer labs, and other facilities of the Program accommodate and support a variety of teaching methods and learning activities and provide for adequate study space?

- ☒ Yes  
☐ No

Please explain:

The classrooms, offices, libraries and computer labs of the Program are the premier educative spaces in the region. These physical resources support the teaching methods of Program instructors and learning activities of Program students. Program instructors regularly work with the Program Director to ensure the classrooms utilized by the program provide adequate space and the appropriate level of quiet for lecture, group discussions and other robust learning activities.

Is space available for private faculty-student consultation?

- ☒ Yes  
☐ No

Please explain:

Space is available for private faculty-student consultation at least three days per week (the same days as classes are held and likely the same time that program students would be on campus). If needed, additional space (or outside of the regularly scheduled times) can be made available via consultation of Program instructors with the Program Director.

## **Implementation, Amendment, and Review**

21. (S8-6) Applying and approved Programs must promptly (within 30 days) send written notification to the Board or its delegate when any substantial changes take place in its Program. Substantial changes include, but are not limited to, departure of faculty or key staff, changes in course offerings, significant changes in enrollment, etc.

Do you agree to notify the Board or its delegate when substantial changes take place in the program as stated above?

- ☒ Yes  
☐ No

22. (S8-9) An approved LLLT Program has an ongoing obligation to assure that it is in compliance with the Standards as adopted, including all amendments as they become effective and all interpretations as they become available on the LLLT website.

Do you agree to assure that your Program is in compliance with the Standards and any amendments as they are adopted and become available?

☒ Yes

☐ No

## Attachment Checklist

- ☐ 1. Program Goals
- ☐ 2. Minutes of Advisory Committee Meetings (if applicable)
- ☐ 3. Non-discrimination Policy
- ☐ 4. Diversity and Inclusion Plan
- ☐ 5. Written Assessment Plan
- ☐ 6. Assignments responsive to Question #9
- ☐ 7. Course objective alignment information responsive to Question #9
- ☐ 8. LLLT Program Instructor Meeting Minutes (if applicable)
- ☐ 9. Resume of LLLT Program Director
- ☐ 10. Template I: Enrollment Statistics
- ☐ 11. Template II: Core Curriculum Course Offerings
- ☐ 12. Template III: LLLT Faculty

## Template I: Enrollment Statistics

**Enrollment Chart for Program<sup>(A)</sup> Providing LLLT Core Education<sup>(B)</sup>**

Degree or Certificate <sup>(C)</sup>	Academic Year <sup>(D)</sup>	Total Enrollment <sup>(E)</sup>	Method of Instruction <sup>(F)</sup>
Paralegal Studies (post-baccalaureate certificate)	01/03/2017 - 12/15/2017	33	Online
	09/26/2016 - 06/01/2017	32	In-person
	01/04/2016 - 12/16/2016	26	Online
	09/30/2015 - 06/10/2016	25	In-person
	01/05/2015 - 12/04/2015	26	Online
	09/29/2014 - 06/03/2015	30	In-person

- (A) "Program" means an educational entity or unit within the educational institution that will provide the LLLT core education including sufficient legal studies elective courses that prepare students to take and pass the LLLT core exam. S1-1(j)
- (B) "LLL T Core Education" means the 45 credit hours of core curriculum instruction in paralegal studies pursuant to APR 28(D)(3)(b) and APR 28 Regulation 3A.
- (C) Indicate name of each degree or certificate option offered by the Program (add/delete fields as needed).
- (D) Use academic year (i.e., 7/1/\_\_\_ - 6/30/\_\_\_).
- (E) Report total enrollment for each degree or certificate option offered by the Program.
- (F) In-person, online, or hybrid

## Template II: LLLT Program Course Offerings

### Core Curriculum Course Offerings

Course Number <sup>(A)</sup>	Course Title <sup>(B)</sup>	Number of Credits <sup>(C)</sup>	Prerequisites <sup>(D)</sup>	Course Designation (LLL-T-R or LLL-T-E) <sup>(E)</sup>
PARA 100	Intro to Law & Legal Practice	3	Bachelor's degree	LLL-T-R
PARA 105	Legal Research, Writing & Analysis I	3	Bachelor's degree	LLL-T-R
PARA 110	Professional Responsibility & Ethics	3	Bachelor's degree	LLL-T-R
PARA 115	Civil Procedure & Litigation I	3	PARA 100	LLL-T-R
PARA 120	Interviewing & Investigation Technique	3		LLL-T-R
PARA 125	Law Office Procedures & Technology	3		LLL-T-R
PARA 130	Civil Procedure & Litigation II	3	PARA 115	LLL-T-R
PARA 135	Legal Research, Writing & Analysis II	3	PARA 105	LLL-T-R
PARA 140	Contract Law	3	PARA 100	LLL-T-R
PARA 145	Business Law	3	PARA 100	LLL-T-E
PARA 150	Litigation Specialties	3	PARA 100	LLL-T-E
PARA 155	Complex Litigation	3	PARA 115 & PARA 130	LLL-T-E

(A) Provide the official course catalog number of each required or elective course offered to LLLT students to satisfy 28D(3)(b) and APR 28 Regulation 3A.

(B) Provide the official course catalog name of each required or elective course offered to LLLT students to satisfy 28D(3)(b) and APR 28 Regulation 3A.

(C) Provide the number of credits assigned to each required or elective course offered to LLLT students to satisfy 28D(3)(b) and APR 28 Regulation 3A.

(D) Provide any legal or nonlegal prerequisite courses required in order to register for each required or elective course offered to LLLT students to satisfy 28D(3)(b) and APR 28 Regulation 3A.

(E) For each required or elective course offered to LLLT students to satisfy 28D(3)(b) and APR 28 Regulation 3A, indicate whether the course is a LLLT-Required (LLL-T-R) or LLLT-Elective (LLL-T-E) course.

## Template III: LLLT Faculty

### LLL Faculty<sup>(A)</sup>

	Name of Instructor <sup>(B)</sup>	Courses Taught <sup>(C)</sup>	Quarter/Semester Offered <sup>(D)</sup>	FT/PT <sup>(E)</sup>
1	Wiener, Bruce	PARA 100 - Intro to Law & Legal Practice, PARA 115 - Civil Procedure & Litigation I, PARA 130 - Civil Procedure & Litigation II	Autumn, Winter, Spring	PT
2	Maier, Judi	PARA 105 - Legal Research, Writing & Analysis I, PARA 125 - Law Office Procedures & Technology, PARA 135 - Legal Research, Writing & Analysis II, PARA 145 - Business Law	Autumn, Winter, Spring, Summer	PT
3	Arai, Hina	PARA 110 - Professional Responsibility & Ethics, PARA 120 - Interviewing & Investigation Technique	Autumn, Winter	PT
4	Malloy Huber, Sheila	PARA 140 - Contract Law	Spring	PT
5	Williams, Brenda	PARA 150 - Litigation Specialties	Summer	PT
6	Yand, James	PARA 155 - Complex Litigation	Summer	PT

(A) Identify all instructors who have taught required or elective LLLT core curriculum courses for the current academic year, and who are projected to teach required or elective LLLT core curriculum courses over the next academic year.

(B) List alphabetically (Last Name, First Name).

(C) Identify the required or elective LLLT core curriculum courses taught (or to be taught) by course title (and course number).

(D) Identify which quarter/semester and year for each required or elective LLLT core curriculum course was taught (or is to be taught).

(E) Identify whether the instructor is designated by the Program's institution as part-time (PT) or full-time (FT) faculty



**LIMITED LICENSE LEGAL TECHNICIAN RULES OF PROFESSIONAL CONDUCT  
(LLT RPC)**

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### **APPENDIX. [RESERVED].**

#### **FUNDAMENTAL PRINCIPLES OF PROFESSIONAL CONDUCT FOR AN LLLT\***

The continued existence of a free and democratic society depends upon recognition of the concept that justice is based upon the rule of law grounded in respect for the dignity of the individual and the capacity through reason for enlightened self-government. Law so grounded makes justice possible, for only through such law does the dignity of the individual attain respect and protection. Without it, individual rights become subject to unrestrained power, respect for law is destroyed, and rational self-government is impossible.

Lawyers, as guardians of the law, play a vital role in the preservation of society. LLLTs, within the scope of their limited licenses to deliver legal services, also play a significant role. The fulfillment of the LLLT's role requires an understanding of their relationship with and function in our legal system. A consequent obligation of LLLTs is to maintain the highest standards of ethical conduct.

In fulfilling professional responsibilities, an LLLT may provide services consistent with the authorized scope of his or her practice that require the performance of many difficult tasks. Not every situation that an LLLT may encounter can be foreseen, but fundamental ethical principles are always present as guidelines.

The Rules of Professional Conduct for LLLTs point the way for the LLLT who aspires to the highest level of ethical conduct, and provide standards by which to judge the transgressor. Each LLLT must find within his or her own conscience the touchstone against which to test the extent to which his or her actions should rise above minimum standards. But in the last analysis it is the desire for the respect and confidence of the members of the legal profession, including

LLLTs and the society that LLLTs serve, that should provide to an LLLT the incentive for the highest possible degree of ethical conduct. The possible loss of that respect and confidence is the ultimate sanction.

\* These Fundamental Principles of the Rules of Professional Conduct are taken from the former Preamble to the Rules of Professional Conduct for lawyers as approved and adopted by the Supreme Court in 1985. Washington lawyers and judges have looked to the 1985 Preamble of the Rules of Professional Conduct as a statement of our overarching aspiration to faithfully serve the best interests of the public, the legal system, and the efficient administration of justice. The former Preamble is preserved here to inspire LLLTs to strive for the highest possible degree of ethical conduct, and these Fundamental Principles should inform many of our decisions as LLLTs. The Fundamental Principles do not, however, alter any of the obligations expressly set forth in the Rules of Professional Conduct, nor are they intended to affect in any way the manner in which the Rules are to be interpreted or applied.

#### **PREAMBLE AND SCOPE**

##### **PREAMBLE: AN LLLT'S RESPONSIBILITIES**

[1] An LLLT is authorized to provide limited legal services that lie within the scope of the practice that the LLLT is licensed to undertake. Within that scope, an LLLT is a member of the legal profession, is a representative of clients, and has a special responsibility for the quality of justice.

[2] As a representative of clients within a limited scope, an LLLT performs various functions. As advisor, an LLLT provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As an evaluator, an LLLT acts by examining a client's legal affairs and reporting about them to the client or to others. While an LLLT is not authorized to act as advocate or negotiator, an LLLT conscientiously acts in the best interest of the client, and seeks a result that is advantageous to the client but consistent with the requirements of honest dealings with others.

[3] In addition to these limited representational functions, an LLLT may serve as a third-party neutral, a nonrepresentational role helping the parties to resolve a dispute or other matter. Some of these Rules apply directly to LLLTs who are or have served as third-party neutrals. *See, e.g.*, Rules 1.12 and 2.4. In addition, there are Rules that apply to LLLTs who are not active in the practice of law or to practicing LLLTs even when they are acting in a nonprofessional capacity. For example, an LLLT who commits fraud in the conduct of a business is subject to discipline for engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation. *See* Rule 8.4.

[4] In all professional functions an LLLT should be competent, prompt, and diligent. An LLLT should maintain communication with a client concerning the representation. An LLLT should keep in confidence information relating to representation of a client except so far as disclosure is required or permitted by the Rules of Professional Conduct for LLLTs.

[5] An LLLT's conduct should conform to the requirements of the law, both in professional service to clients and in the LLLT's business and personal affairs. An LLLT should use the law's procedures only for legitimate purposes and not to harass or intimidate others. An LLLT should demonstrate respect for the legal system and for those who serve it, including judges, lawyers, other LLLTs, and public officials.

[6] As a member of the legal profession, an LLLT should seek to improve access to the legal system, the administration of justice, and the quality of service rendered by the legal profession, and should also seek to strengthen legal education. An LLLT should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all LLLTs should devote professional time and resources to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel. An LLLT should aid the legal profession in pursuing these objectives and should help the legal profession regulate itself in the public interest.

[7] Many of an LLLT's professional responsibilities are prescribed in the Rules of Professional Conduct for LLLTs, as well as substantive and procedural law to the extent applicable to LLLTs. However, an LLLT is also guided by personal conscience and the approbation of lawyers, clients, and professional peers. Within the authorized scope of an LLLT's practice, the LLLT should strive to attain the highest level of skill and to exemplify the legal profession's ideals of public service.

[8] An LLLT's responsibilities as a limited-scope representative of clients and as a public citizen are usually harmonious. Thus, an LLLT can be sure that preserving client confidences ordinarily serves the public interest because people are more likely to seek legal advice, and thereby heed their legal obligations, when they know their communications will be private.

[9] Notwithstanding the limited scope of authority of an LLLT, however, conflicting responsibilities are encountered. Virtually all difficult ethical problems arise from conflict between an LLLT's responsibilities to clients, to the legal system, and to the LLLT's own interest in remaining an ethical person while earning a satisfactory living. The Rules of Professional Conduct for LLLTs often prescribe terms for resolving such conflicts. Within the framework of these Rules, however, many difficult issues of professional discretion can arise. Such issues must be resolved through the exercise of sensitive professional and moral judgment guided by the basic principles underlying the Rules.

[10] The legal profession is largely self-governing. Although other professions also have been granted powers of self-government, the legal profession is unique in this respect because of the close relationship between the profession and the processes of government and law enforcement. This connection is manifested in the fact that ultimate authority over the legal profession is vested largely in the courts.

[11] To the extent that LLLTs meet the obligations of their professional calling, the occasion for government regulation is obviated. Self-regulation also helps maintain the legal profession's independence from government domination. An independent legal profession is an important

force in preserving government under law, for abuse of legal authority is more readily challenged by a profession whose members are not dependent on government for the right to practice.

[12] The legal profession's relative autonomy carries with it special responsibilities of self-government. The profession has a responsibility to assure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns. Every LLLT is responsible for observance of the Rules of Professional Conduct for LLLTs. An LLLT should also aid in securing their observance by other legal practitioners. Neglect of these responsibilities compromises the independence of the profession and the public interest which it serves.

[13] LLLTs are obliged to understand their relationship to our legal system. The Rules of Professional Conduct for LLLTs, when properly applied, serve to define that relationship.

### **SCOPE**

[14] The Rules of Professional Conduct for LLLTs are rules of reason. They should be interpreted with reference to the purposes of legal representation (within the LLLT's authorized scope of practice) and of the law itself. Some of the Rules are imperatives, cast in the terms "shall" or "shall not." These define proper conduct for purposes of professional discipline. Others, generally cast in the term "may" are permissive and define areas under the Rules in which the LLLT has discretion to exercise professional judgment. No disciplinary action should be taken when the LLLT chooses not to act or acts within the bounds of such discretion. Other rules define the nature of relationships between the LLLT and others. The Rules are thus partly obligatory and disciplinary and partly constitutive and descriptive in that they define an LLLT's professional role. Many of the Comments use the term "should." Comments do not add obligations to the Rules but provide guidance for practicing in compliance with the Rules.

[15] The Rules presuppose a context in which the LLLT's role has been or will be shaped. That context includes court rules relating to matters of licensure, laws defining specific authorization and obligations of LLLTs, and substantive and procedural law in general. The Comments are sometimes used to alert LLLTs to their responsibilities under such other law.

[16] Compliance with the Rules, as with all law in an open society, depends primarily upon understanding and voluntary compliance, secondarily upon reinforcement by lawyer, client, peer, and public opinion, and finally, when necessary, upon enforcement through disciplinary proceedings. The Rules do not, however, exhaust the moral and ethical considerations that should inform an LLLT, for no worthwhile human activity can be completely defined by legal rules. The Rules simply provide a framework for the ethical practice of law within the authorized scope of an LLLT's practice.

[17] For purposes of determining the LLLT's authority and responsibility, principles of substantive law external to these Rules determine whether a client-LLLT relationship exists. Most of the duties flowing from the client-LLLT relationship attach only after the client-LLLT relationship is formed. But there are some duties, such as that of confidentiality under Rule 1.6,

that may attach when the LLLT agrees to consider whether a client-LLLT relationship shall be established. *See* Lawyer RPC 1.18 and Washington Comment [11] thereto. Whether a client-LLLT relationship exists for any specific purpose can depend on the circumstances and is a question of fact.

[18] [Reserved.]

[19] Failure to comply with an obligation or prohibition imposed by a Rule is a basis for invoking the disciplinary process. The Rules presuppose that disciplinary assessment of an LLLT's conduct will be made on the basis of the facts and circumstances as they existed at the time of the conduct in question and in recognition of the fact that an LLLT often has to act upon uncertain or incomplete evidence of the situation. Moreover, the Rules presuppose that whether or not discipline should be imposed for a violation, and the severity of a sanction, depend on all the circumstances, such as the willfulness and seriousness of the violation, extenuating factors, and whether there have been previous violations.

[20] Violation of a Rule should not itself give rise to a cause of action against an LLLT, nor should it create any presumption in such a case that a legal duty has been breached. The Rules are designed to provide guidance to LLLTs and to provide a structure for regulating conduct through disciplinary agencies. They are not designed to be a basis for civil liability. The fact that a Rule is a just basis for an LLLT's self-assessment, or for sanctioning an LLLT under the administration of a disciplinary authority, does not imply that a party who is adverse to an LLLT's client in any proceeding or transaction has standing to seek enforcement of the Rule. Nevertheless, since the Rules do establish standards of conduct by LLLTs, an LLLT's violation of a Rule may be evidence of breach of the applicable standard of conduct.

[21] The Comment accompanying each Rule explains and illustrates the meaning and purpose of the Rule. The Preamble and this note on Scope provide general orientation. The Comments are intended as guides to interpretation, but the text of each Rule is authoritative.

#### **Additional Washington Comments (22 - 25)**

[22] Nothing in these Rules is intended to change existing Washington law on the use of the Rules of Professional Conduct in a civil action, *see Hizey v. Carpenter*, 119 Wn.2d 251, 830 P.2d 646 (1992), or to suggest how that law applies to the obligations of LLLTs. *See also* APR 28(K)(1).

[23] The Rules of Professional Conduct for LLLTs are modeled on Washington's Rules of Professional Conduct for lawyers (Lawyer RPC). The structure of these Rules, like the Lawyer RPC, generally parallels the structure of the American Bar Association's Model Rules of Professional Conduct. When an entire provision that appears in the Lawyer RPC is deleted for purposes of these Rules, the deletion is signaled by the phrase "Reserved." The reservation of a rule or portion of a rule that appears in the Lawyer RPC does not necessarily mean that the conduct of an LLLT in that area is unregulated; the conduct may be regulated under APR 28 or another rule. Should a situation arise where a rule or portion of a rule is reserved but the counterpart rule in the Lawyer RPC addresses the conduct, the LLLT should look to the relevant



Lawyer RPC and comments to that rule for guidance. In general, when a Rule has a counterpart in the Lawyer RPC, the comments to that Lawyer RPC may be looked to as a guide to interpretation of that Rule to the extent that both the Lawyer RPC and the LLLT RPC are substantially similar and the content of the comments is applicable to the conduct of an LLLT.

[24] Comment [18] of Scope is reserved. The corresponding Comment of the Lawyer RPC relates to the specific role and authority of certain lawyers in government service, and is not applicable to the professional role of an LLLT.

[25] The Fundamental Principles of Professional Conduct and the Preamble and Scope sections of these Rules were adapted from the corresponding parts of the Lawyer RPC with only minor modifications. These provisions express the role of an LLLT as a legal professional acting within the justice system. With the exception of the reservation of Comment [18], modifications relate to the limited scope of an LLLT's license to deliver legal services, and the corresponding limitations on the role that an LLLT will have in the development of certain aspects of the legal profession, such as advocacy and development of the common law.

#### **LLLT RPC 1.0A TERMINOLOGY**

(a) "Belief" or "believes" denotes that the person involved actually supposed the fact in question to be true. A person's belief may be inferred from circumstances.

(b) "Confirmed in writing," when used in reference to the informed consent of a person, denotes informed consent that is given in writing by the person or a writing that an LLLT promptly transmits to the person confirming an oral informed consent. See paragraph (e) for the definition of "informed consent." If it is not feasible to obtain or transmit the writing at the time the person gives informed consent, then the LLLT must obtain or transmit it within a reasonable time thereafter.

(c) "Firm" or "law firm" denotes a lawyer, lawyers, an LLLT, LLLTs, or any combination thereof in a law partnership, professional corporation, sole proprietorship, or other association authorized to practice law; or lawyers or LLLTs employed in a legal services organization or the legal department of a corporation or other organization.

(d) "Fraud" or "fraudulent" denotes conduct that has a purpose to deceive and is fraudulent under the substantive or procedural law of the applicable jurisdiction, except that it is not necessary that anyone has suffered damages or relied on the misrepresentation or failure to inform.

(e) "Informed consent" denotes the agreement by a person to a proposed course of conduct after the LLLT has communicated adequate information and explanation about the material risks of and reasonably available alternatives to the proposed course of conduct.

(f) "Knowingly," "known," or "knows" denotes actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances.

(g) "Partner" denotes a member of a partnership, a shareholder in a law firm organized as a professional corporation, or a member of an association authorized to practice law.

(h) "Reasonable" or "reasonably" when used in relation to conduct by an LLLT denotes the conduct of a reasonably prudent and competent LLLT.

(i) "Reasonable belief" or "reasonably believes" when used in reference to an LLLT denotes that the LLLT believes the matter in question and that the circumstances are such that the belief is reasonable.

(j) "Reasonably should know" when used in reference to an LLLT denotes that an LLLT of reasonable prudence and competence would ascertain the matter in question.

(k) "Screened" denotes the isolation of an LLLT or a lawyer from any participation in a matter through the timely imposition of procedures within a firm that are reasonably adequate under the circumstances to protect information that the isolated LLLT or lawyer is obligated to protect under these Rules, the Lawyer RPC, or other law.

(l) "Substantial" when used in reference to degree or extent denotes a material matter of clear and weighty importance.

(m) "Tribunal" denotes a court, an arbitrator in a binding arbitration proceeding, or legislative body, administrative agency, or other body acting in an adjudicative capacity. A legislative body, administrative agency, or other body acts in an adjudicative capacity when a neutral official, after the presentation of evidence or legal argument by a party or parties, will render a binding legal judgment directly affecting a party's interests in a particular matter.

(n) "Writing" or "written" denotes a tangible or electronic record of a communication or representation, including handwriting, typewriting, printing, photostating, photography, audio or videorecording, and e-mail. A "signed" writing includes an electronic sound, symbol, or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

#### **LLLT RPC 1.0B ADDITIONAL TERMINOLOGY**

(a) "APR" denotes the Washington Supreme Court's Admission to Practice Rules.

(b) "GR" denotes the Washington Supreme Court's General Rules.

(c) "Lawyer" denotes a person licensed and eligible to practice law in any United States jurisdiction.

(d) "Lawyer RPC" denotes the Washington Supreme Court's Rules of Professional Conduct for lawyers.

(e) "Legal practitioner" denotes a lawyer or a limited license legal technician licensed under APR 28.

(f) "Limited License Legal Technician" or "LLLT" denotes a person qualified by education, training, and work experience who is authorized to engage in the limited practice of law in approved practice areas of law as specified by APR 28 and related regulations. The LLLT does not represent the client in court proceedings or negotiations, but provides limited legal assistance as set forth in APR 28 to a pro se client.

(g) "LLLT REC" denotes the Washington Supreme Court's Limited License Legal Technician Rules for Enforcement of Conduct.

(h) "Representation" or "represent," when used in connection with the provision of legal assistance by an LLLT, denotes limited legal assistance as set forth in APR 28 to a pro se client.

**Comment**

[1] Rule 1.0A was adapted from Lawyer RPC 1.0 with no substantive changes and applies to LLLTs analogously. Rule 1.0B adds terms that require definitions in light of the licensing of LLLTs as legal practitioners in Washington.

[2] The definition of the term "lawyer" is taken from APR 28(B). When used in the LLLT RPC, however, the term is used to denote a lawyer who is acting within the scope of the lawyer's license and in accordance with the Lawyer RPC. So, for example, the authorization in Rule 5.9 to enter into a law partnership with a lawyer requires that the lawyer is admitted and authorized to practice in the State of Washington.

[3] The terms "firm" and "law firm" are used interchangeably in the Lawyer RPC and also in these Rules. An LLLT should be cautious, however, in using the words "law firm" to describe a law practice that includes only LLLTs. The name and description of an LLLT's practice should not imply that a lawyer is associated with the firm unless that is the case. ~~Rule 7.5(a) requires that any firm name used for an LLLT practice that does not include a lawyer include the words "Legal Technician."~~ Any firm name used for an LLLT practice that does not include a lawyer must include the words "Legal Technician." See Comment [2] to Rule 7.1.

**TITLE 1. CLIENT-LLLT RELATIONSHIP**  
**LLLT RPC 1.1 COMPEIENCE**

An LLLT shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

**Comment**

[1] Rule 1.1 was adapted from Lawyer RPC 1.1 with no substantive changes and applies to LLLTs analogously.

**LLLT RPC 1.2 SCOPE OF REPRESENTATION AND ALLOCATION OF  
AUTHORITY BETWEEN CLIENT AND LLLT**

- (a) Subject to paragraphs (c), (d), and (g), an LLLT shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. An LLLT may take such action on behalf of the client as is impliedly authorized to carry out the representation.
- (b) An LLLT's representation of a client does not constitute an endorsement of the client's political, economic, social, or moral views or activities.
- (c) An LLLT must limit the scope of the representation and provide disclosures informing a potential client as required by these Rules.
- (d) An LLLT shall not counsel a client to engage, or assist a client, in conduct that the LLLT knows is criminal or fraudulent.
- (e) [Reserved.]
- (f) An LLLT shall not purport to act as an LLLT for any person or organization if the LLLT knows or reasonably should know that the LLLT is acting without the authority of that person or organization and beyond his or her authorized scope of practice, unless the LLLT is authorized or required to so act by law or a court order.
- (g) Nothing in this Rule expands an LLLT's authorized scope of practice provided in APR 28.

**Comment**

[1] Rule 1.2 was adapted from Lawyer RPC 1.2 with changes to reflect the limited scope of practice authorized by APR 28. Otherwise, it applies to LLLTs analogously.

[2] Negotiation on behalf of a client and representation in court are beyond the authorized scope of an LLLT's practice. *See* APR 28(H). Accordingly, paragraph (a) was modified from the Lawyer RPC to exclude references to settlements and criminal cases, and paragraph (d) was modified from the Lawyer RPC to exclude (and therefore prohibit) an LLLT from discussing with a client the legal consequences of any proposed criminal or fraudulent conduct and assisting a client in determining the validity, scope, meaning, or application of the law with respect to any such conduct. In circumstances where a client has engaged or may engage in conduct that the LLLT knows is criminal or fraudulent, the LLLT shall not provide services related to such conduct and shall inform the client that the client should seek the services of a lawyer.

[3] Unlike a lawyer, an LLLT may perform only limited services for a client. Under APR 28G(3), before performing any services for a fee, an LLLT must enter into a written contract with the client, signed by both the client and the LLLT, that includes the following: (a) an explanation of the services to be performed, including a conspicuous statement that the LLLT

may not appear or represent the client in court, formal administrative adjudicative proceedings, or other formal dispute resolution process, or negotiate the client's legal rights or responsibilities, unless permitted under GR 24(b); (b) identification of all fees and costs to be charged to the client for the services to be performed; (c) a statement that upon the client's request, the LLLT shall provide to the client any documents submitted by the client to the LLLT; (d) a statement that the LLLT is not a lawyer and may only perform limited legal services (this statement shall be on the first page of the contract in minimum twelve-point bold type print); (e) a statement describing the LLLT's duty to protect the confidentiality of information provided by the client and the LLLT's work product associated with the services sought or provided by the LLLT; (f) a statement that the client has the right to rescind the contract at any time and receive a full refund of unearned fees (this statement shall be conspicuously set forth in the contract); and (g) any other conditions to the LLLT's services that are required by the rules and regulations of the Limited License Legal Technician Board.

[4] Additional requirements concerning the authorized scope of an LLLT's practice are imposed by APR 28(F). An LLLT must ascertain whether the issue is within the defined practice area for which the LLLT is licensed. If not, the LLLT shall not provide the services required on the issue and must inform the client that the client should seek the services of a lawyer. If the issue does lie within the defined practice area for which the LLLT is licensed, then the LLLT is authorized to undertake the services that are enumerated in APR 28(F). Those services include only the following: (a) obtain relevant facts and explain the relevancy of such information to the client; (b) inform the client of applicable procedures, including deadlines, documents which must be filed, and the anticipated course of the legal proceeding; (c) inform the client of applicable procedures for proper service of process and filing of legal documents; (d) provide the client with self-help materials prepared by a Washington lawyer or approved by the Limited License Legal Technician Board, which contain information about relevant legal requirements, case law basis for the client's claim, and venue and jurisdiction requirements; (e) review documents or exhibits that the client has received from the opposing side, and explain them to the client; (f) select, complete, file, and effect service of forms that have been approved by the State of Washington, either through a governmental agency or by the Administrative Office of the Courts or the content of which is specified by statute; federal forms; forms prepared by a Washington lawyer; or forms approved by the Limited License Legal Technician Board; and advise the client of the significance of the selected forms to the client's case; (g) perform legal research; (h) draft legal letters and documents beyond what is permitted in (f) if the work is reviewed and approved by a Washington lawyer; (i) advise a client as to other documents that may be necessary to the client's case, and explain how such additional documents or pleadings may affect the client's case; and (j) assist the client in obtaining necessary documents, such as birth, death, or marriage certificates.

[5] An LLLT must personally perform the authorized services for the client and may not delegate those services to a person who is not either an LLLT or a lawyer. This prohibition, however, does not prevent a person who is neither an LLLT nor a lawyer from performing translation services. APR 28(G)(2).

[6] An LLLT may not provide services that exceed the scope of the LLLT's authority under APR 28. If an issue arises for which the client needs services that exceed the scope of the

LLLT's authority, the LLLT must inform that client that the client should seek the services of a lawyer. APR 28(G)(5).

[7] A document that is prepared by an LLLT for the client's signature shall include the LLLT's name, signature and license number beneath the signature of the client. APR 28(G)(5).

[8] Certain conduct and services are specifically prohibited to an LLLT by APR 28(H). In the course of dealing with clients or prospective clients, an LLLT shall not: (a) make any statement that the LLLT can or will obtain special favors from or has special influence with any court or governmental agency; (b) retain any fees or costs for services not performed; (c) refuse to return documents supplied by, prepared by, or paid for by the client, upon the request of the client (the documents must be returned upon request even if there is a fee dispute between the LLLT and the client); (d) represent or advertise, in connection with the provision of services, other legal titles or credentials that could cause a client to believe that the LLLT possesses professional legal skills beyond those authorized by the license held by the LLLT; (e) represent a client in court proceedings, formal administrative adjudicative proceedings, or other formal dispute resolution process, unless permitted by GR 24; (f) negotiate a client's legal rights or responsibilities, or communicate with another person the client's position or convey to the client the position of another party; unless permitted by GR 24(b); (g) provide services to a client in connection with a legal matter in another state, unless permitted by the laws of that state to perform such services for the client; (h) represent or otherwise provide legal or law related services to a client, except as permitted by law, APR 28, or associated rules and regulations; or (i) otherwise violate these Rules.

### **LLLT RPC 1.3 DILIGENCE**

An LLLT shall act with reasonable diligence and promptness in representing a client.

#### **Comment**

[1] Rule 1.3 was adapted from Lawyer RPC 1.3 with no substantive changes and applies to LLLTs analogously. *See also* Comment [5] to Rule 1.2.

### **LLLT RPC 1.4 COMMUNICATION**

(a) An LLLT shall:

- (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(e), is required by these Rules;
- (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
- (3) keep the client reasonably informed about the status of the matter;
- (4) promptly comply with reasonable requests for information; and

- (5) consult with the client about any relevant limitation on the LLLT's conduct when the LLLT knows that the client expects assistance not permitted by the LLLT RPC or other law.

(b) An LLLT shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

**Comment**

[1] Rule 1.4 was adapted from Lawyer RPC 1.4 with no substantive changes and applies to LLLTs analogously.

**LLLT RPC 1.5 FEES**

(a) An LLLT shall not make an agreement for, charge, or collect an unreasonable fee or an unreasonable amount for expenses. The factors to be considered in determining the reasonableness of a fee include the following:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the LLLT;
- (3) the fee customarily charged in the locality for similar legal services;
- (4) the amount involved and the results obtained;
- (5) the time limitations imposed by the client or by the circumstances;
- (6) the nature and length of the professional relationship with the client;
- (7) the experience, reputation, and ability of the LLLT or LLLTs performing the services;
- (8) whether the fee is fixed or hourly; and
- (9) the terms of the fee agreement between the LLLT and the client, including whether the fee agreement or confirming writing demonstrates that the client had received a reasonable and fair disclosure of material elements of the fee agreement and of the LLLT's billing practices.

(b) The scope of the representation and the basis or rate of the fee and expenses for which the client will be responsible shall be communicated to the client, in writing, before commencing the representation. Upon the request of the client in any matter, the LLLT shall communicate to the client in writing the basis or rate of the fee.

(c) [Reserved.]

(d) An LLLT shall not enter into an arrangement for, charge, or collect any fee, the payment or amount of which is contingent upon the outcome of the case.

(e) An LLLT may not enter into an arrangement for the division of a fee with another LLLT or lawyer who is not in the same firm as the LLLT.

(f) Fees and expenses paid in advance of performance of services shall comply with Rule 1.15A, subject to the following exceptions:

(1) [Reserved.]

(2) An LLLT may charge a flat fee for specified legal services, which constitutes complete payment for those services and is paid in whole or in part in advance of the LLLT providing the services. A flat fee must be agreed to in advance in a writing signed by the client. The written agreement may specify that the flat fee is the LLLT's property on receipt, in which case the fee shall not be deposited into a trust account under Rule 1.15A. To qualify for the exception from the requirements of Rule 1.15A, the written fee agreement shall, in a manner that can easily be understood by the client, include the following: (i) the scope of the services to be provided; (ii) the total amount of the fee and the terms of payment; (iii) that the fee is the LLLT's property immediately on receipt and will not be placed into a trust account; (iv) that the fee agreement does not alter the client's right to terminate the client-LLLT relationship; and (v) that the client may be entitled to a refund of a portion of the fee if the agreed-upon legal services have not been completed. A statement in substantially the following form satisfies this requirement:

[LLLT/law firm] agrees to provide, for a flat fee of \$\_\_\_\_\_, the following services: \_\_\_\_\_. The flat fee shall be paid as follows: \_\_\_\_\_.

Upon [LLLT's/law firm's] receipt of all or any portion of the flat fee, the funds are the property of [LLLT/law firm] and will not be placed in a trust account. The fact that you have paid your fee in advance does not affect your right to terminate the client-LLLT relationship. In the event our relationship is terminated before the agreed-upon legal services have been completed, you may or may not have a right to a refund of a portion of the fee.

(3) In the event of a dispute relating to a fee under paragraph (f)(2) of this Rule, the LLLT shall take reasonable and prompt action to resolve the dispute.

#### **Comment**

[1] Rule 1.5 was adapted from Lawyer RPC 1.5 with changes to reflect the limited scope of an LLLT's authorized practice and special requirements imposed by APR 28. Otherwise, it applies to LLLT's analogously.



[2] An LLLT, unlike a lawyer, is prohibited from entering into a contingent fee or retainer agreement with a client. Lawyer RPC 1.5(c) and 1.5(f)(1) address contingent fees and retainers respectively. Accordingly, paragraphs (c) and (f)(1) are reserved under this Rule. Reservation of such paragraphs, however, is not intended to prohibit an LLLT from being apportioned a part of a fee earned by a lawyer under a contingent fee or retainer arrangement when the LLLT and the lawyer are associated in a for profit business relationship authorized under Rule 5.9.

[3] Under the circumstances specified in Lawyer RPC 1.5(e), a lawyer may agree to a division of a fee either with another lawyer who is not in the same firm or with an authorized lawyer referral service. By contrast, paragraph (e) of this Rule categorically prohibits an LLLT from dividing a fee. An LLLT may pay the usual charges of an LLLT referral service. *See* Rule 7.23(eb).

[4] Unlike a lawyer, an LLLT is required by APR 28(G)(3) to enter into a written contract with the client before the LLLT begins to perform any services for a fee that includes, among other things, identification of all fees and costs to be charged to the client for the services to be performed. The provisions concerning a flat fee described in (f)(2) of this Rule, if applicable, should be included in that contract. The contract must be signed by both the client and the LLLT before the LLLT begins to perform any services for a fee. *See* Comment [2] to Rule 1.2 for other provisions that are to be included in the contract.

[5] An LLLT is ordinarily prohibited from modifying the written contract with the client that is required by APR 28(G)(3). Courts have applied the provisions of RPC 1.8(a) to modifications or renegotiations of fee arrangements by lawyers made during the representation of a client when the modified or renegotiated terms are more favorable to the lawyer than originally agreed upon. *See, e.g., Valley/50th Ave., LLC v. Stewart*, 159 Wn.2d 736, 743-44, 153 P.3d 186, 189 (2007); *Rafel Law Grp. PLLC v. Defoor*, 176 Wn. App. 210, 223-24, 308 P.3d 767, 775 (2013), *review denied*, 179 Wn.2d 1011, 316 P.3d 495 (2014). Under these Rules, business transactions between LLLTs and clients are prohibited. *See* Rule 1.8(a). Accordingly, any changes in the basis or rate of an LLLT's fee that benefit the LLLT must be identified in the initial contract. *See also* Comment [8] to Rule 1.2.

#### **LLLT RPC 1.6 CONFIDENTIALITY OF INFORMATION**

(a) An LLLT shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

(b) An LLLT to the extent the LLLT reasonably believes necessary:

- (1) shall reveal information relating to the representation of a client to prevent reasonably certain death or substantial bodily harm;
- (2) may reveal information relating to the representation of a client to prevent the client from committing a crime;

- (3) may reveal information relating to the representation of a client to prevent, mitigate, or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the LLLT's services;
- (4) may reveal information relating to the representation of a client to secure legal advice about the LLLT's compliance with these Rules;
- (5) may reveal information relating to the representation of a client to establish a claim or defense on behalf of the LLLT in a controversy between the LLLT and the client, to establish a defense to a criminal charge or civil claim against the LLLT based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the LLLT's representation of the client;
- (6) may reveal information relating to the representation of a client to comply with a court order; or
- (7) may reveal information relating to the representation of a client to inform a tribunal about any breach of fiduciary responsibility when the client is serving as a court appointed fiduciary such as a guardian, personal representative, or receiver.

#### **Comment**

[1] Rule 1.6 was adapted from Lawyer RPC 1.6 with no substantive changes and applies to LLLTs analogously.

[2] Under APR 28(K)(3) the Washington law of attorney-client privilege extends to LLLTs "to the same extent as it would apply to an attorney-client relationship." In communicating the existence or scope of this privilege to a client, a LLLT must take steps to ensure that the client understands the LLLT's role and to avoid any impression that the LLLT is serving as a lawyer in the matter.

#### **LLLT RPC 1.7 CONFLICT OF INTEREST: CURRENT CLIENTS**

(a) Except as provided in paragraph (b), an LLLT shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

- (1) the representation of one client will be directly adverse to another client; or
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the LLLT's responsibilities to another client, a former client, or a third person or by a personal interest of the LLLT.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), an LLLT may represent a client if:

- (1) the LLLT reasonably believes that the LLLT will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the LLLT with respect to the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in writing (following authorization from the other client to make any required disclosures).

**Comment**

[1] Rule 1.7 was adapted from Lawyer RPC 1.7 with no substantive changes and applies to LLLTs analogously.

[2] Under no circumstances may an LLLT represent more than one party in any domestic relations matter. *See* Appendix APR 28 Regulation 2.

**LLLT RPC 1.8 CONFLICT OF INTEREST: CURRENT CLIENTS: SPECIFIC RULES**

(a) An LLLT shall not enter into a business transaction with a current client.

(b) An LLLT shall not use information relating to representation of a client to the disadvantage of the client unless the client gives informed consent, except as permitted or required by these Rules.

(c) An LLLT shall not solicit any substantial gift from a client, including a testamentary gift, or prepare on behalf of the client an instrument giving the LLLT or a person related to the LLLT any substantial gift unless the LLLT or other recipient of the gift is related to the client. For purposes of this paragraph, related persons include spouse, child, grandchild, parent, grandparent or other relative or individual with whom the LLLT or the client maintains a close, familial relationship.

(d) Prior to the conclusion of representation of a client, an LLLT shall not make or negotiate an agreement giving the LLLT literary or media rights to a portrayal or account based in substantial part on information relating to the representation.

(e) An LLLT shall not, while representing a client in connection with contemplated or pending litigation, advance or guarantee financial assistance to a client, except that:

- (1) an LLLT may advance or guarantee the expenses of litigation, including court costs, expenses of investigation, expenses of medical examination, and costs of obtaining and presenting evidence, provided the client remains ultimately liable for such expenses.

- (2) [Reserved.]

**(f)** An LLLT shall not accept compensation for representing a client from one other than the client unless:

- (1) the client gives informed consent;
- (2) there is no interference with the LLLT's independence of professional judgment or with the client-LLLTT relationship; and
- (3) information relating to representation of a client is protected as required by Rule 1.6.

**(g)** [Reserved.]

**(h)** An LLLT shall not:

- (1) make an agreement prospectively limiting the LLLT's liability to a client for malpractice; or
- (2) settle a claim or potential claim for such liability with an unrepresented client or former client unless that person is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of an independent lawyer in connection therewith.

**(i)** An LLLT shall not acquire a proprietary interest in the cause of action or subject matter of litigation in which the LLLT is assisting a client.

**(j)** An LLLT shall not:

- (1) have sexual relations with a current client of the LLLT unless a consensual sexual relationship existed between them at the time the client-LLLTT relationship commenced; or
- (2) have sexual relations with a representative of a current client if the sexual relations would, or would likely, damage or prejudice the client in the representation.
- (3) For purposes of Rule 1.8(j), "LLLTT" means any LLLT who assists in the representation of the client, but does not include other LLLTT members of a firm

with which the LLLT is associated if those other LLLTs provide no such assistance.

**(k)** Except as otherwise provided in these Rules,

- (1) while LLLTs are associated in a firm with other LLLTs, a prohibition in the foregoing paragraphs (a) through (i) that applies to any one of them shall apply to all of them; and
- (2) while LLLTs and lawyers are associated in a firm, the prohibitions in Lawyer RPC 1.8(a) through (i) that apply to any lawyer shall apply to any LLLT, and the prohibitions in the foregoing paragraphs (a), (h), and (i) shall not apply to any lawyers unless the conduct is otherwise prohibited by the Lawyer RPC.

**(l)** An LLLT who is related to another LLLT or a lawyer as parent, child, sibling, or spouse, or who has any other close familial or intimate relationship with another LLLT or lawyer, shall not represent a client in a matter directly adverse to a person who the LLLT knows is represented by the related LLLT or lawyer unless:

- (1) the client gives informed consent to the representation; and
- (2) the representation is not otherwise prohibited by Rule 1.7.

**(m)** [Reserved.]

**Comment**

- [1] This Rule was adapted from Lawyer RPC 1.8 with modifications described in these Comments. Otherwise, it applies to LLLTs analogously.
- [2] Under limited and defined circumstances, Lawyer RPC 1.8(a) permits a lawyer to enter into a business transaction with a client, or to acquire a property interest adverse to a client. Because of the limitations on the scope of an LLLT's authorized practice, the analysis and disclosures that suffice under Lawyer RPC 1.8(a) to enable a lawyer to enter into such a transaction despite the existence of a conflict of interest are not feasible in the client-LLLT relationship. For this reason, LLLT RPC 1.8(a) strictly prohibits an LLLT from entering into any business transaction with a current client.
- [3] LLLTs may not advocate for, or appear in court on behalf of, a client. LLLTs will have no role in class action litigation and Rule 1.8(e)(2) is accordingly reserved in this Rule. LLLT RPC 1.8(e) does not authorize activities that are beyond the scope of the LLLT's limited license. Nothing in Rule 1.8(e) is intended to prohibit lawyer members of a firm with which an LLLT is associated from engaging in conduct permitted by Lawyer RPC 1.8(e)(2).

- [4] Rule 1.8(g) is reserved. LLLTs are not permitted to engage in the making of settlements, or aggregated agreements as to guilty or nolo contendere pleas in criminal cases. Nothing in Rule 1.8(g) is intended to prohibit lawyer members of a firm with which an LLLT is associated from participating in such settlements if permitted by the Lawyer RPC.
- [5] Unlike a lawyer, an LLLT is strictly prohibited by Rule 1.8(h)(1) from making any agreement that prospectively limits the LLLT's liability to the client for malpractice.
- [6] A client or former client of an LLLT who is not represented by a lawyer is unrepresented for purposes of Rule 1.8(h)(2).
- [7] Unlike a lawyer, an LLLT is prohibited by Rule 1.8(i) from acquiring any proprietary interest in a client's cause of action or the subject matter of litigation.
- [8] If one LLLT or lawyer in a firm has a conflict of interest specified under this Rule, other LLLTs and lawyers in the firm may, under some circumstances, have the same conflict of interest or be subject to the same prohibition. This is called imputation of a conflict of interest. Similarly, in a firm that includes both LLLTs and lawyers, a conflict of interest of a lawyer will, under some circumstances, be imputed to an LLLT in the firm. Rule 1.8(k) describes the imputations of Rule 1.8 conflicts in a firm.
- [9] Rule 1.8(m) is reserved. LLLTs are not permitted to engage in the scope of practice anticipated by Lawyer RPC 1.8(m). The reservation of Rule 1.8(m) in these Rules is not intended to prohibit lawyer members of a firm with which an LLLT is associated from engaging in the scope of practice described in Rule 1.8(m) of the Lawyer RPC.

#### **LLLTP 1.9 DUTIES TO FORMER CLIENTS**

- (a) An LLLT who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client gives informed consent, confirmed in writing.
- (b) An LLLT shall not knowingly represent a person in the same or a substantially related matter in which a firm with which the LLLT formerly was associated had previously represented a client
  - (1) whose interests are materially adverse to that person; and
  - (2) about whom that LLLT had acquired information protected by Rules 1.6 and 1.9(c) that is material to the matter; unless the former client gives informed consent, confirmed in writing.

(c) An LLLT who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter:

- (1) use information relating to the representation to the disadvantage of the former client except as these Rules would permit or require with respect to a client, or when the information has become generally known; or
- (2) reveal information relating to the representation except as these Rules would permit or require with respect to a client.

**Comment**

[1] Rule 1.9 was adapted from Lawyer RPC 1.9 with no substantive changes and applies to LLLTs analogously.

**LLLT RPC 1.10 IMPUTATION OF CONFLICTS OF INTEREST: GENERAL RULE**

(a) Except as provided in paragraph (e), while LLLTs are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the disqualified LLLT and does not present a significant risk of materially limiting the representation of the client by the remaining LLLTs in the firm.

(b) When an LLLT has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated LLLT and not currently represented by the firm, unless:

- (1) the matter is the same or substantially related to that in which the formerly associated LLLT represented the client; and
- (2) any LLLT remaining in the firm has information that is material to the matter and that is protected by Rules 1.6 and 1.9(c).

(c) A disqualification prescribed by this Rule may be waived by the affected client under the conditions stated in Rule 1.7.

(d) The disqualification of LLLTs associated in a firm with former or current government LLLTs is governed by Rule 1.11.

(e) When the prohibition on representation under paragraph (a) is based on Rule 1.9(a) or

(b) and arises out of the disqualified LLLT's association with a prior firm, no other LLLT in the firm shall knowingly represent a person in a matter in which that LLLT is disqualified unless:

- (1) the personally disqualified LLLT is screened by effective means from participation in the matter and is apportioned no part of the fee therefrom;
- (2) the former client of the personally disqualified LLLT receives notice of the conflict and the screening mechanism used to prohibit dissemination of information relating to the former representation;
- (3) the firm is able to demonstrate by convincing evidence that no material information relating to the former representation was transmitted by the personally disqualified LLLT before implementation of the screening mechanism and notice to the former client.

Any presumption that information protected by Rules 1.6 and 1.9(c) has been or will be transmitted may be rebutted if the personally disqualified LLLT serves on his or her former firm and former client an affidavit attesting that the personally disqualified LLLT will not participate in the matter and will not discuss the matter or the representation with any other LLLT or employee of his or her current firm, and attesting that during the period of the LLLT's personal disqualification those LLLTs, or employees who do participate in the matter will be apprised that the personally disqualified LLLT is screened from participating in or discussing the matter. Such affidavit shall describe the procedures being used effectively to screen the personally disqualified LLLT. Upon request of the former client, such affidavit shall be updated periodically to show actual compliance with the screening procedures. The firm, the personally disqualified LLLT, or the former client may seek judicial review in a court of general jurisdiction of the screening mechanism used, or may seek court supervision to ensure that implementation of the screening procedures has occurred and that effective actual compliance has been achieved.

(f) When LLLTs and lawyers are associated in a firm, a lawyer's conflict of interest under Lawyer RPC 1.7 or Lawyer RPC 1.9 is imputed to LLLTs in the firm in the same way as conflicts are imputed to LLLTs under this Rule. Each of the other provisions of this Rule also applies in the same way when lawyer conflicts are imputed to LLLTs in the firm.

#### **Comment**

[1] Rule 1.10 was adapted from Lawyer RPC 1.10 with no substantive changes except to reflect the fact that LLLTs and lawyers may practice in a firm together. The general rules concerning imputation of conflicts of interest apply to LLLTs and firms in which both LLLTs and lawyers are associated analogously.

#### **LLT RPC 1.11 SPECIAL CONFLICTS OF INTEREST FOR FORMER AND CURRENT GOVERNMENT OFFICERS AND EMPLOYEES**

(a) Except as law may otherwise expressly permit, an LLLT who has formerly served as a public officer or employee of the government:



(1) is subject to Rule 1.9(c); and

(2) shall not otherwise represent a client in connection with a matter in which the LLLT participated personally and substantially as a public officer or employee, unless the appropriate government agency gives its informed consent, confirmed in writing, to the representation.

**(b)** When an LLLT or lawyer is disqualified from representation under paragraph (a) of this Rule or Lawyer RPC 1.11, no LLLT in a firm with which that LLLT or lawyer is associated may knowingly undertake or continue representation in such a matter unless:

(1) the disqualified LLLT or lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and

(2) written notice is promptly given to the appropriate government agency to enable it to ascertain compliance with the provisions of this Rule.

**(c)** Except as law may otherwise expressly permit, an LLLT having information that the LLLT knows is confidential government information about a person acquired when the LLLT was a public officer or employee, may not represent a private client whose interests are adverse to that person in a matter in which the information could be used to the material disadvantage of that person. As used in this Rule the term "confidential government information" means information that has been obtained under governmental authority and which, at the time this Rule is applied, the government is prohibited by law from disclosing to the public or has a legal privilege not to disclose and which is not otherwise available to the public. A firm with which that LLLT is associated may undertake or continue representation in the matter only if the disqualified LLLT is screened from any participation in the matter and is apportioned no part of the fee therefrom.

**(d)** Except as law may otherwise expressly permit, an LLLT currently serving as a public officer or employee:

(1) is subject to Rules 1.7 and 1.9; and

(2) shall not:

(i) participate in a matter in which the LLLT participated personally and substantially while in private practice or nongovernmental employment, unless the appropriate government agency gives its informed consent, confirmed writing; or

(ii) negotiate for private employment with any person who is involved as a party or as LLLT for a party in a matter in which the LLLT is participating personally and substantially, except that an LLLT who may otherwise be serving as a law clerk to a judge, other adjudicative officer

or arbitrator may negotiate for private employment as permitted by Rule 1.12(b) and subject to the conditions stated in Rule 1.12(b).

- (e) As used in this Rule, the term "matter" includes:
- (1) any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter involving a specific party or parties; and
  - (2) any other matter covered by the conflict of interest rules of the appropriate government agency.

#### **Comment**

[1] Rule 1.11 was adapted from Lawyer RPC 1.11 with no substantive changes except to reflect the fact that LLLTs and lawyers may practice in a firm together. This Rule applies to LLLTs and firms in which both LLLTs and lawyers are associated analogously.

#### **LLLT RPC 1.12 FORMER JUDGE, ARBITRATOR, MEDIATOR OR OTHER THIRD-PARTY NEUTRAL**

- (a) Except as stated in paragraph (d), an LLLT shall not represent anyone in connection with a matter in which the LLLT participated personally and substantially as a judge or other adjudicative officer or law clerk to such a person or as an arbitrator, mediator, or other third-party neutral, unless all parties to the proceeding give informed consent confirmed in writing.
- (b) An LLLT shall not negotiate for employment with any person who is involved as a party or as LLLT for a party in a matter in which the LLLT is participating personally and substantially as a judge or other adjudicative officer or as an arbitrator, mediator, or other third-party neutral. An LLLT serving as a law clerk to a judge or other adjudicative officer may negotiate for employment with a party or LLLT involved in a matter in which the clerk is participating personally and substantially, but only after the LLLT has notified the judge or other adjudicative officer.
- (c) If an LLLT or lawyer is disqualified by paragraph (a) of this Rule or Lawyer RPC 1.12, no LLLT in a firm with which that LLLT or lawyer is associated may knowingly undertake or continue representation in the matter unless:
- (1) the disqualified LLLT or lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and
  - (2) written notice is promptly given to the parties and any appropriate tribunal to enable them to ascertain compliance with the provisions of this Rule.
- (d) An arbitrator selected as a partisan of a party in a multimember arbitration panel is not prohibited from subsequently representing that party.

**Comment**

[1] Rule 1.12 was adapted from Lawyer RPC 1.12 with no substantive changes. This Rule applies to LLLTs and firms in which both LLLTs and lawyers are associated analogously.

**LLLT RPC 1.13**

[Reserved]

**Comment**

[1] At present, the authorized scope of LLLT practice does not contemplate representation of an organization.

**LLLT RPC 1.14 CLIENT WITH DIMINISHED CAPACITY**

(a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the LLLT shall, as far as reasonably possible, maintain a normal client-LLLT relationship with the client.

(b) When the LLLT reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial, or other harm unless action is taken and cannot adequately act in the client's own interest, the LLLT may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client. In taking any protective action under this Rule, the LLLT shall not exceed the LLLT's authorized scope of practice.

(c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the LLLT is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

**Comment**

[1] Rule 1.14 was adapted from Lawyer RPC 1.14 with no substantive changes except in Rule 1.14(b). Otherwise, this Rule applies to LLLTs analogously.

[2] Unlike Lawyer RPC 1.14, Rule 1.14(b) does not suggest seeking the appointment of a guardian ad litem, conservator or guardian. Those actions contemplate court appearances and knowledge of multiple areas of law which may exceed the authorized scope of an LLLT's practice. Accordingly, that language from Lawyer Rule 1.14(b) has been omitted from this Rule.

[3] Protective action taken by an LLLT under paragraph (b) of this Rule may include obtaining the services of a lawyer. An LLLT should proceed cautiously when independently undertaking protective action on behalf of a person with diminished capacity, and the LLLT should carefully evaluate and weigh all the circumstances and options. For a discussion of

potential protective actions and relevant considerations, see Lawyer RPC 1.14, Comments [5] - [7].

#### **LLLT RPC 1.15A SAFEGUARDING PROPERTY**

- (a)** This Rule applies to property of clients or third persons in an LLLT's possession in connection with a representation.
- (b)** An LLLT must not use, convert, borrow, or pledge client or third person property for the LLLT's own use.
- (c)** An LLLT must hold property of clients and third persons separate from the LLLT's own property.
  - (1)** An LLLT must deposit and hold in a trust account funds subject to this Rule pursuant to paragraph (h) of this Rule.
  - (2)** Except as provided in Rule 1.5(f), and subject to the requirements of paragraph (h) of this Rule, an LLLT shall deposit into a trust account legal fees and expenses that have been paid in advance, to be withdrawn by the LLLT only as fees are earned or expenses incurred.
  - (3)** An LLLT must identify, label, and appropriately safeguard any property of clients or third persons other than funds. The LLLT must keep records of such property that identify the property, the client or third person, the date of receipt, and the location of safekeeping. The LLLT must preserve the records for seven years after return of the property.
- (d)** An LLLT must promptly notify a client or third person of receipt of the client or third person's property.
- (e)** An LLLT must promptly provide a written accounting to a client or third person after distribution of property or upon request. An LLLT must provide at least annually a written accounting to a client or third person for whom the LLLT is holding funds.
- (f)** Except as stated in this Rule, an LLLT must promptly pay or deliver to the client or third person the property which the client or third person is entitled to receive.
- (g)** If an LLLT possesses property in which two or more persons (one of which may be the LLLT) claim interests, the LLLT must maintain the property in trust until the dispute is resolved. The LLLT must promptly distribute all undisputed portions of the property. The LLLT must take reasonable action to resolve the dispute.
- (h)** An LLLT must comply with the following for all trust accounts:

- (1) No funds belonging to the LLLT may be deposited or retained in a trust account except as follows:
  - (i) funds to pay bank charges, but only in an amount reasonably sufficient for that purpose;
  - (ii) funds belonging in part to a client or third person and in part presently or potentially to the LLLT must be deposited and retained in a trust account, but any portion belonging to the LLLT must be withdrawn at the earliest reasonable time; or
  - (iii) funds necessary to restore appropriate balances.
- (2) An LLLT must keep complete records as required by Rule 1.15B.
- (3) An LLLT may withdraw funds when necessary to pay client costs. The LLLT may withdraw earned fees only after giving reasonable notice to the client of the intent to do so, through a billing statement or other document.
- (4) Receipts must be deposited intact.
- (5) All withdrawals must be made only to a named payee and not to cash. Withdrawals must be made by check or by electronic transfer.
- (6) Trust account records must be reconciled as often as bank statements are generated or at least quarterly. The LLLT must reconcile the check register balance to the bank statement balance and reconcile the check register balance to the combined total of all client ledger records required by Rule 1.15B(a)(2).
- (7) An LLLT must not disburse funds from a trust account until deposits have cleared the banking process and been collected, unless the LLLT and the bank have a written agreement by which the LLLT personally guarantees all disbursements from the account without recourse to the trust account.
- (8) Disbursements on behalf of a client or third person may not exceed the funds of that person on deposit. The funds of a client or third person must not be used on behalf of anyone else.
- (9) Only an LLLT or a lawyer admitted to practice law may be an authorized signatory on the account. If an LLLT is associated in a practice with one or more lawyers, any check or other instrument requiring a signature must be signed by a signatory lawyer in the firm.

(i) Trust accounts must be interest-bearing and allow withdrawals or transfers without any delay other than notice periods that are required by law or regulation and meet the requirements of LLLT REC 15.7(d) and LLLT REC 15.7(e). In the exercise of ordinary prudence, an LLLT

may select any financial institution authorized by the Legal Foundation of Washington (Legal Foundation) under LLLT REC 15.7(c). In selecting the type of trust account for the purpose of depositing and holding funds subject to this Rule, an LLLT shall apply the following criteria:

- (1) When client or third-person funds will not produce a positive net return to the client or third person because the funds are nominal in amount or expected to be held for a short period of time the funds must be placed in a pooled interest-bearing trust account known as an Interest on Limited License Legal Technician's Trust Account or IOLTA. The interest earned on IOLTA accounts shall be paid to, and the IOLTA program shall be administered by, the Legal Foundation of Washington in accordance with LLLT REC 15.4 and LLLT REC 15.7(e).
- (2) Client or third-person funds that will produce a positive net return to the client or third person must be placed in one of the following two types of non-IOLTA trust accounts, unless the client or third person requests that the funds be deposited in an IOLTA account:
  - (i) a separate interest-bearing trust account for the particular client or third person with earned interest paid to the client or third person; or
  - (ii) a pooled interest-bearing trust account with sub-accounting that allows for computation of interest earned by each client or third person's funds with the interest paid to the appropriate client or third person.
- (3) In determining whether to use the account specified in paragraph (i)(1) or an account specified in paragraph (i)(2), an LLLT must consider only whether the funds will produce a positive net return to the client or third person, as determined by the following factors:
  - (i) the amount of interest the funds would earn based on the current rate of interest and the expected period of deposit;
  - (ii) the cost of establishing and administering the account, including the cost of the LLLT's services and the cost of preparing any tax reports required for interest accruing to a client or third person's benefit; and
  - (iii) the capability of financial institutions to calculate and pay interest to individual clients or third persons if the account in paragraph (i)(2)(ii) is used.
- (4) The provisions of paragraph (i) do not relieve an LLLT or law firm from any obligation imposed by these Rules or the LLLT REC.

#### **Comment**

[1] Rule 1.15A was adapted from Lawyer RPC 1.15A with no substantive changes except to reflect limitations on the authorized scope of an LLLT's practice. Otherwise, this Rule applies to LLLTs analogously. The Comments to Lawyer RPC 1.15A provide important guidance to the correct interpretation and application of this Rule.

[2] Lawyer RPC 1.15A(a) contemplates that lawyers may act as escrow agents for the closing of a purchase and sale of real estate or personal property, a practice area that is not contemplated by APR 28. Accordingly, there is no counterpart in this Rule to Lawyer RPC 1.15A(a)(2).

#### **LLLT RPC 1.15B REQUIRED TRUST ACCOUNT RECORDS**

(a) An LLLT must maintain current trust account records. They may be in electronic or manual form and must be retained for at least seven years after the events they record. At minimum, the records must include the following:

- (1) Checkbook register or equivalent for each trust account, including entries for all receipts, disbursements, and transfers, and containing at least:
  - (i) identification of the client matter for which trust funds were received, disbursed, or transferred;
  - (ii) the date on which trust funds were received, disbursed, or transferred;
  - (iii) the check number for each disbursement;
  - (iv) the payor or payee for or from which trust funds were received, disbursed, or transferred; and
  - (v) the new trust account balance after each receipt, disbursement, or transfer;
- (2) Individual client ledger records containing either a separate page for each client or an equivalent electronic record showing all individual receipts, disbursements, or transfers, and also containing:
  - (i) identification of the purpose for which trust funds were received, disbursed, or transferred;
  - (ii) the date on which trust funds were received, disbursed or transferred;
  - (iii) the check number for each disbursement;
  - (iv) the payor or payee for or from which trust funds were received, disbursed, or transferred; and

- (v) the new client fund balance after each receipt, disbursement, or transfer;
- (3) Copies of any agreements pertaining to fees and costs;
- (4) Copies of any statements or accountings to clients or third parties showing the disbursement of funds to them or on their behalf;
- (5) Copies of bills for legal fees and expenses rendered to clients;
- (6) of invoices, bills, or other documents supporting all disbursements or transfers from the trust account;
- (7) Bank statements, copies of deposit slips, and cancelled checks or their equivalent;
- (8) Copies of all trust account bank and client ledger reconciliations; and
- (9) Copies of those portions of clients' files that are reasonably necessary for a complete understanding of the financial transactions pertaining to them.

**(b)** Upon any change in the LLLT's practice affecting the trust account, including dissolution or sale of a law firm or other entity, or suspension or other change in membership status, the LLLT must make appropriate arrangements for the maintenance of the records specified in this Rule.

**Comment**

[1] Rule 1.15B was adapted from Lawyer RPC 1.15B with no substantive changes and applies to LLLT's analogously.

**LLLT RPC 1.16 DECLINING OR TERMINATING REPRESENTATION**

**(a)** An LLLT shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

- (1) the representation will result in violation of these Rules or other law;
- (2) the LLLT's physical or mental condition materially impairs the LLLT's ability to represent the client; or
- (3) the LLLT is discharged.

**(b)** An LLLT may withdraw from representing a client if:

- (1) withdrawal can be accomplished without material adverse effect on the interests of the client;



- (2) the client persists in a course of action involving the LLLT's services that the LLLT reasonably believes is criminal or fraudulent;
- (3) the client has used the LLLT's services to perpetrate a crime or fraud;
- (4) the client insists upon taking action that the LLLT considers repugnant or with which the LLLT has a fundamental disagreement;
- (5) the client fails substantially to fulfill an obligation to the LLLT regarding the LLLT's services and has been given reasonable warning that the LLLT will withdraw unless the obligation is fulfilled;
- (6) the representation will result in an unreasonable financial burden on the LLLT or has been rendered unreasonably difficult by the client; or
- (7) other good cause for withdrawal exists.

(c) [Reserved.]

(d) Upon termination of representation, an LLLT shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of a lawyer or another LLLT, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee that has not been earned or incurred.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 1.16 with no substantive changes except to reflect that LLLTs are not authorized to represent clients in court or to advocate for clients. For this reason, paragraph (c) is reserved and references to litigation or proceedings before a tribunal that appear in Lawyer RPC 1.16 do not apply and have been omitted from this Rule. Otherwise, this Rule applies to LLLTs analogously.

#### **LLLT RPC 1.17 SALE OF LAW PRACTICE**

An LLLT, firm of LLLTs, or a law firm with which one or more LLLTs are associated may sell or purchase a law practice, or an area of law practice, including good will, if the following conditions are satisfied:

(a) [Reserved.]

(b) The entire practice, or the entire area of practice, is sold to one or more LLLTs, lawyers, LLLT firms or law firms;

(c) The seller gives written notice to each of the seller's clients regarding:

- (1) the proposed sale;
- (2) the client's right to retain a lawyer or another LLLT or to take possession of the file; and
- (3) the fact that the client's consent to the transfer of the client's files will be presumed if the client does not take any action or does not otherwise object within ninety (90) days of receipt of the notice. If a client cannot be given notice, the representation of that client may be transferred to the purchaser only upon entry of an order so authorizing by a court having jurisdiction. The seller may disclose to the court in camera information relating to the representation only to the extent necessary to obtain an order authorizing the transfer of a file.

**(d)** The legal fees and LLLT fees charged clients shall not be increased by reason of the sale.

**Comment**

[1] This Rule was adapted from Lawyer RPC 1.17 with no substantive changes except to reflect that an LLLT may practice in the same firm with one or more lawyers. Otherwise, this Rule applies to LLLTs analogously.

**LLLT RPC 1.18 DUTIES TO PROSPECTIVE CLIENT**

**(a)** A person who discusses with an LLLT the possibility of forming a client-LLLT relationship with respect to a matter is a prospective client.

**(b)** Even when no client-LLLT relationship ensues, an LLLT who has had discussions with a prospective client shall not use or reveal information learned in the consultation, except as Rule 1.9 would permit with respect to information of a former client or except as provided in paragraph (e).

**(c)** An LLLT subject to paragraph (b) shall not represent a client with interests materially adverse to those of a prospective client in the same or a substantially related matter if the LLLT received information from the prospective client that could be significantly harmful to that person in the matter, except as provided in paragraph (d) or (e). If an LLLT or lawyer is disqualified from representation under this paragraph or Lawyer RPC 1.18(c), no LLLT in a firm with which that LLLT or lawyer is associated may knowingly undertake or continue representation in such a matter, except as provided in paragraph (d) or, with respect to lawyers, Lawyer RPC 1.18(d).

**(d)** When the LLLT has received disqualifying information as defined in paragraph (c), representation is permissible if:

- (1) both the affected client and the prospective client have given informed consent, confirmed in writing, or:

- (2) the LLLT who received the information took reasonable measures to avoid exposure to more disqualifying information than was reasonably necessary to determine whether to represent the prospective client; and
  - (i) the disqualified LLLT is timely screened from any participation in the matter and is apportioned no part of the fee therefrom; and
  - (ii) written notice is promptly given to the prospective client.

(e) An LLLT may condition conversations with a prospective client on the person's informed consent that no information disclosed during the consultation will prohibit the LLLT from representing a different client in the matter. The prospective client may also expressly consent to the LLLT's subsequent use of information received from the prospective client.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 1.18 with no substantive changes except to reflect that LLLTs and lawyers may practice in the same firm. It applies to LLLTs and to firms in which both LLLTs and lawyers are associated analogously.

[2] The Comments to Lawyer RPC 1.18 offer valuable guidance to the correct interpretation and application of this Rule. In particular, Comment 2 to Lawyer RPC 1.18 explains application of this Rule to unsolicited and unilateral communications of information from a person who does not have a reasonable expectation that the LLLT is willing to discuss the possibility of forming a client-LLLTT relationship.

### **TITLE 2. COUNSELOR LLLTT RPC 2.1 ADVISOR**

In representing a client, an LLLTT shall exercise independent professional judgment and render candid advice. In rendering advice, an LLLTT may refer not only to law but to other considerations, such as moral, economic, social and political factors, that may be relevant to the client's situation.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 2.1 with no substantive changes and applies to LLLTs analogously.

[2] This Rule and its requirement regarding the exercise of independent professional judgment do not expand the limitations on the authorized scope of an LLLTT's practice under APR 28(H).

**LLLTT RPC 2.2 [Reserved]**

**LLLTT RPC 2.3 [Reserved]**

### **Comment**

[1] Lawyer RPC 2.3 pertains to a lawyer providing an evaluation of a matter affecting a client for the use of someone other than the client. Unlike lawyers, LLLTs are not authorized to communicate the client's position to third parties. Drafting an opinion letter for the purposes of its use with a third party is the same as communicating the client's position to a third party and is prohibited by APR 28(H)(6). Accordingly, this Rule is reserved.

### **LLLT RPC 2.4 LLLT SERVING AS THIRD-PARTY NEUTRAL**

(a) An LLLT serves as a third-party neutral when the LLLT assists two or more persons who are not clients of the LLLT to reach a resolution of a dispute or other matter that has arisen between them. Service as a third-party neutral may include service as an arbitrator, a mediator, or in such other capacity as will enable the LLLT to assist the parties to resolve the matter.

(b) An LLLT serving as a third-party neutral shall inform unrepresented parties that the LLLT is not representing them. When the LLLT knows or reasonably should know that a party does not understand the LLLT's role in the matter, the LLLT shall explain the difference between the LLLT's role as a third-party neutral and an LLLT's role as one who represents a client.

### **Comment**

[1] This Rule was adapted from Lawyer RPC 2.4 with no substantive changes and applies to LLLTs analogously.

## **TITLE 3. ADVOCATE**

### **LLLT RPC 3.1 ADVISING AND ASSISTING CLIENTS IN PROCEEDINGS BEFORE A TRIBUNAL**

(a) In a matter reasonably related to a pending or potential proceeding before a tribunal, an LLLT shall not counsel a client to engage, or assist a client, in conduct involving:

- (1) an abuse of legal procedure, including asserting or controverting a position that is frivolous or lacks a good faith basis in law and fact;
- (2) delay of a proceeding without reasonable and substantial purpose;
- (3) submission of a false statement of fact or law to a tribunal or offering evidence known to be false;
- (4) obstruction of another party's access to evidence or the unlawful alteration, destruction, or concealment of a document or other material having potential evidentiary value;

- (5) falsification of evidence or assisting or inducing false testimony of a witness;
- (6) knowingly disobeying an obligation under the rules of a tribunal; or
- (7) making frivolous discovery requests or failing to reasonably comply with legally proper discovery requests of an opposing party.

**(b)** An LLLT shall not seek to influence a judge, juror, prospective juror, or other official by means prohibited by law, communicate ex parte with such an individual unless authorized to do so by law or court order, or engage in conduct intended to disrupt a tribunal. An LLLT shall not counsel or assist a client or another person to do such an act.

### **Comment**

[1] This Rule is substantially different from Lawyer RPC 3.1 because LLLTs are not authorized to represent clients in the proceedings of a tribunal. Title 3 of the Lawyer RPC addresses a lawyer's duties as an advocate when representing a client in the proceedings of a tribunal. Because APR 28(H)(5) expressly prohibits an LLLT from representing a client in a court or administrative-adjudicative proceeding (unless permitted by GR 24), the Title 3 Rules do not apply directly to the conduct of LLLTs. Nevertheless, a number of the ethical principles located in Title 3 address conduct in connection with a proceeding that would be improper and repugnant whether engaged in by a lawyer or a party. In many instances, an LLLT will be providing assistance to a client who is a party to a court proceeding. For this reason, as a member of the legal profession, an LLLT is ethically bound to avoid advising or assisting a client in conduct that undermines the integrity of the adjudicative process or threatens the fair and orderly administration of justice. As applied to the indirect conduct of LLLTs, the ethical proscriptions of Lawyer RPC 3.1, 3.2, 3.3, and 3.4 are less nuanced. Accordingly, they have been consolidated within Rule 3.1(a) as a prohibition on counseling or assisting the client in such activities. Conduct relating to the impartiality and decorum of a tribunal, Lawyer RPC 3.5, should be prohibited whether engaged in by an LLLT directly or indirectly, and is separately addressed in paragraph (b) of this Rule. Although less comprehensive than Title 3 of the Lawyer RPC, the core Title 3 principles incorporated into Rule 3.1 address the issues likely to be encountered by an LLLT, with supplemental guidance available in the corresponding Lawyer RPC and commentary thereto.

[2] An LLLT acting as a "lay representative authorized by administrative agencies or tribunals" under GR 24(b)(3) would not be acting pursuant to the authority of his or her LLLT license in that context, since such representation would be beyond the scope of LLLT practice authorized by APR 28(F). Should an LLLT engage in conduct as a lay advocate that would otherwise directly violate a Title 3 obligation—for example, by knowingly making a false statement of fact to an administrative tribunal—such conduct may violate the requirements of other rules. See, e.g., Rule 8.4(c) (prohibiting conduct involving dishonesty, fraud, deceit, and misrepresentation) and Rule 8.4(d) (prohibiting conduct prejudicial to the administration of justice).

[3] Certain Title 3 provisions, such as Lawyer as Witness in Rule 3.7 and the Special Responsibilities of a Prosecutor in Rule 3.8, do not apply to LLLTs. In these instances, the corresponding LLLT RPC has been reserved. Rules 3.6 and 3.9 represent ethical issues that would rarely if ever arise in the context of an LLLT's limited-scope representation. Accordingly, these provisions have been reserved as well, though guidance is available in the corresponding Lawyer RPC in the event that such an ethical dilemma does arise in a LLLT representation.

**LLLТ RPC 3.2**  
[Reserved]

**Comment**

[1] See Comments [1] and [2] to Rule 3.1.

**LLLТ RPC 3.3**  
[Reserved]

**Comment**

[1] See Comments [1] and [2] to Rule 3.1.

**LLLТ RPC 3.4**  
[Reserved]

**Comment**

[1] See Comments [1] and [2] to Rule 3.1.

**LLLТ RPC 3.5**  
[Reserved]

**Comment**

[1] See Comment [1] to Rule 3.1.

**LLLТ RPC 3.6**  
[Reserved]

**Comment**

[1] See Comment [3] to Rule 3.1.

**LLLТ RPC 3.7**  
[Reserved]

**Comment**

[1] See Comment [3] to Rule 3.1.

**LLLТ RPC 3.8**  
[Reserved]

**Comment**

[1] See Comment [3] to Rule 3.1.

**LLT RPC 3.9**

[Reserved]

**Comment**

[1] See Comment [3] to Rule 3.1.

**TITLE 4. TRANSACTIONS WITH PERSONS OTHER THAN CLIENTS**  
**LLT RPC 4.1 TRUTHFULNESS IN STATEMENTS TO OTHERS**

In the course of representing a client an LLLT shall not knowingly:

- (a) make a false statement of material fact or law to a third person; or
- (b) fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.

**Comment**

[1] This Rule was adapted from Lawyer RPC 4.1 with no substantive changes and applies to LLLTs analogously.

[2] LLLTs are required by APR 28(G)(5) to include the LLLT's name, signature, and license number beneath the signature of the client on all documents that the LLLT prepares. This will assure that judges and other court personnel, other parties to a matter, and lawyers representing those parties, are informed of the LLLT's role in the matter.

**LLT RPC 4.2 COMMUNICATION WITH PERSON REPRESENTED BY LAWYER**

In representing a client, an LLLT shall not communicate about the subject of the representation with a person the LLLT knows to be represented by a lawyer in the matter.

**Comment**

[1] A person who has chosen to be represented by a lawyer should be protected against possible overreaching by another lawyer. See Lawyer RPC 4.2 and Comments to that rule. Rule 4.2 extends to LLLTs the prohibition on communicating with a person represented by a lawyer. This Rule differs from Lawyer RPC 4.2 in that the prohibition is absolute. While a lawyer may be permitted to communicate directly with a person who is represented by another lawyer with the other lawyer's consent, or if authorized to do so by law or court order, there are no exceptions to the prohibition as it applies to LLLTs, because any such communication would put an LLLT in a position of exceeding the authorized scope of the LLLT's practice under APR 28(H). Specifically, APR 28(H)(6) prohibits negotiating a client's legal rights or responsibilities or communicating with another person the client's position, and APR 28(H)(5) prohibits an LLLT from representing a client in court proceedings. In light of these limitations,

there is no circumstance in which an LLLT could communicate with a person represented by a lawyer about the subject matter of the representation without transgressing the APR.

#### **LLLT RPC 4.3 DEALING WITH PERSON NOT REPRESENTED BY LAWYER**

(a) In dealing on behalf of a client with a person who is not represented by a lawyer, an LLLT shall not state or imply that the LLLT is disinterested. When the LLLT knows or reasonably should know that the unrepresented person misunderstands the LLLT's role in the matter, the LLLT shall make reasonable efforts to correct the misunderstanding. The LLLT shall not give legal advice to an unrepresented person, other than the advice to secure the services of another legal practitioner, if the LLLT knows or reasonably should know that the interests of such a person are or have a reasonable possibility of being in conflict with the interests of the client.

(b) An LLLT shall not communicate about the subject of the representation with another party in the matter.

#### **Comment**

[1] Paragraph (a) of this Rule was adapted from Lawyer RPC 4.3 with no substantive changes and applies to LLLT's analogously.

[2] Paragraph (b) of this Rule does not appear in the Lawyer RPC. It derives from the limitations on the authorized scope of an LLLT's practice under APR 28(H)(6). See Comment [1] to Rule 4.2 for a discussion of the implications of APR 28(H)(6).

[3] The client of an LLLT is an unrepresented person for purposes of Lawyer RPC 4.2 and 4.3. The definition of an LLLT in APR 28(B)(4) clarifies that an LLLT does not represent a client in court proceedings or negotiations, but provides limited legal assistance to a pro se client.

[4] Although an LLLT is strictly prohibited by paragraph (b) from communicating with a party about the subject matter of the LLLT's representation, an LLLT may have occasion to communicate directly with a nonparty who is assisted by another LLLT. A risk of unwarranted intrusion into a privileged relationship may arise when an LLLT deals with a person who is assisted by another LLLT. Client-LLLT communications, however, are privileged to the same extent as client-lawyer communications. See APR 28(K)(3). An LLLT's ethical duty of confidentiality further protects the LLLT client's right to confidentiality in that professional relationship. See LLLT RPC 1.6(a). When dealing with a person who is assisted by another LLLT, an LLLT must respect these legal rights that protect the client-LLLT relationship.

#### **LLLT RPC 4.4 RESPECT FOR RIGHTS OF THIRD PERSONS**

(a) In representing a client, an LLLT shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.



(b) An LLLT who receives a document relating to the representation of the LLLT's client and knows or reasonably should know that the document was inadvertently sent shall promptly notify the sender.

**Comment**

[1] This Rule was adapted from Lawyer RPC 4.4 with no substantive changes and applies to LLLTs analogously.

**TITLE 5. LAW FIRMS AND ASSOCIATIONS**  
**LLLT RPC 5.1 RESPONSIBILITIES OF PARTNERS, MANAGERS, AND**  
**SUPERVISORY LLLTs**

(a) An LLLT partner in a law firm, and an LLLT who individually or together with other LLLTs possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all LLLTs in the firm conform to the LLLT RPC.

(b) An LLLT having direct supervisory authority over another LLLT shall make reasonable efforts to ensure that the other LLLT conforms to the LLLT RPC.

(c) An LLLT shall be responsible for another LLLT's violation of the LLLT RPC if:

- (1) the LLLT orders or, with knowledge of the specific conduct, ratifies the conduct involved; or
- (2) the LLLT is a partner or has comparable managerial authority in the firm in which the other LLLT practices, or has direct supervisory authority over the other LLLT, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

(d) An LLLT shall be responsible for a lawyer violation of the Lawyer RPC if the LLLT is a partner or has comparable managerial authority and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

**Comment**

[1] This Rule was adapted from Lawyer RPC 5.1 with no substantive changes and applies to LLLTs analogously.

[2] When under Rule 5.9 an LLLT has managerial authority in a firm comprised of both lawyers and LLLTs, the LLLT should support efforts of the firm's lawyers with managerial authority under Lawyer RPC 5.1 and 5.10 to make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Lawyer RPC.

[3] Under paragraph (d), when an LLLT with managerial authority in a firm comprised of both lawyers and LLLTs knows of a lawyer's violation of the Lawyer RPC at a time when its

consequences can be avoided or mitigated, reasonable remedial action will ordinarily consist of promptly reporting the violation to one of the firm's lawyers with managerial authority so that the lawyer manager can take appropriate action under Lawyer RPC 5.1(c).

#### **LLLT RPC 5.2 RESPONSIBILITIES OF A SUBORDINATE LLLT**

(a) An LLLT is bound by the LLLT RPC notwithstanding that the LLLT acted at the direction of another person.

(b) A subordinate LLLT does not violate the LLLT RPC if that LLLT acts in accordance with a supervisory LLLT or a supervisory lawyer's reasonable resolution of an arguable question of professional duty.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 5.2 with no substantive changes except to reflect that LLLTs and lawyers may practice in the same firm. It applies to LLLTs and to firms in which both LLLTs and lawyers are associated analogously.

#### **LLLT RPC 5.3 RESPONSIBILITIES REGARDING NON-LLLT ASSISTANTS**

With respect to a non-LLLT employed or retained by or associated with an LLLT:

(a) an LLLT partner, and an LLLT who individually or together with other LLLTs possesses comparable managerial authority in a law firm, shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the LLLT;

(b) an LLLT having direct supervisory authority over the non-LLLT shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the LLLT; and

(c) an LLLT shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by an LLLT if:

- (1) the LLLT orders or, with the knowledge of the specific conduct, ratifies the conduct involved; or
- (2) the LLLT is a partner or has comparable managerial authority in the firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 5.3 with no substantive changes and applies to LLLTs analogously.

#### **LLLT RPC 5.4 PROFESSIONAL INDEPENDENCE OF AN LLLT**

(a) An LLLT or LLLT firm shall not share legal fees with anyone who is a non-LLLT, except that:

- (1) an agreement by an LLLT with the LLLT's firm, partner, or LLLT associate may provide for the payment of money, over a reasonable period of time after the LLLT's death, to the LLLT's estate or to one or more specified persons;
- (2) an LLLT who purchases the practice of a deceased, disabled, or disappeared LLLT or lawyer may, pursuant to the provisions of Rule 1.17, pay to the estate or other representative of that LLLT or lawyer the agreed-upon purchase price;
- (3) an LLLT or LLLT firm may include non-LLLT employees in a compensation or retirement plan, even though the plan is based in whole or in part on a profit-sharing arrangement; and
- (4) [Reserved.]
- (5) an LLLT authorized to complete unfinished legal business of a deceased LLLT may pay to the estate or other representative of the deceased LLLT that proportion of the total compensation that fairly represents the services rendered by the deceased LLLT.

(b) An LLLT shall not form a partnership with a non-LLLT if any of the activities of the partnership consist of the practice of law.

(c) An LLLT shall not permit a person who recommends, employs, or pays the LLLT to render legal services for another to direct or regulate the LLLT's professional judgment in rendering such legal services.

(d) An LLLT shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if:

- (1) a non-LLLT owns any interest therein, except that a fiduciary representative of the estate of an LLLT may hold the stock or interest of the LLLT for a reasonable time during administration;
- (2) a non-LLLT is a corporate director or officer (other than as secretary or treasurer) thereof or occupies the position of similar responsibility in any form of association other than a corporation; or
- (3) a non-LLLT has the right to direct or control the professional judgment of an LLLT.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 5.4 with no substantive changes except to change references to a “nonlawyer” to “non-LLLT” to avoid confusion. It applies to LLLTs analogously.

[2] Notwithstanding Rule 5.4, lawyers and LLLTs may share fees and form business structures to the extent permitted by Rule 5.9.

#### **LLLT RPC 5.5 UNAUTHORIZED PRACTICE OF LAW**

(a) An LLLT shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

(b) [Reserved.]

(c) [Reserved.]

(d) [Reserved.]

#### **Comment**

[1] Lawyer RPC 5.5(a) expresses the basic prohibition on a legal practitioner practicing law in a jurisdiction where that individual is not specifically licensed or otherwise authorized to practice law. It reflects the general notion (enforced through criminal-legal prohibitions and other law) that legal services may only be provided by those licensed to do so. This limitation on the ability to practice law is designed to protect the public against the rendition of legal services by unqualified persons. *See* Comment [2] to Lawyer RPC 5.5.

As applied to LLLTs, this principle should apply with equal force. An actively licensed LLLT should practice law as an LLLT only in a jurisdiction where he or she is licensed to do so, i.e., Washington State. An LLLT must not practice law in a jurisdiction where he or she is not authorized to do so. Unless and until other jurisdictions authorize Washington-licensed LLLTs to practice law, it will be unethical under this Rule for the LLLT to provide or attempt to provide legal services extraterritorially. Relatedly, it is unethical to assist anyone in activities that constitute the unauthorized practice of law in any jurisdiction. *See also* APR 28(H)(7) (prohibiting an LLLT from providing services to a client in connection with a legal matter in another state unless permitted by the laws of that state to perform the services for the client).

[2] Lawyer RPC 5.5(b) through (d) define the circumstances in which lawyers can practice in Washington despite being unlicensed here. For example, lawyers actively licensed elsewhere may provide services on a temporary basis in Washington in association with a lawyer admitted to practice here or when the lawyer's activities "arise out of or are reasonably related to the lawyer's practice in his or her home jurisdiction." These provisions also recognize that certain non-Washington-licensed lawyers may practice here on more than a temporary basis (e.g., lawyers providing services authorized by federal law), and otherwise prohibit non-Washington-licensed lawyers from establishing a systematic and continuous presence in Washington for the practice of law.

These provisions are, at this time, unnecessary in the LLLT RPC because there are no limited license programs in other jurisdictions tantamount to Washington's LLLT rules and no need to authorize nonlawyers in other jurisdictions to practice law in Washington, either temporarily or on an ongoing basis. For this reason, paragraphs (b) through (d) are reserved.

#### **LLLT RPC 5.6 RESTRICTIONS ON RIGHT TO PRACTICE**

An LLLT shall not participate in offering or making:

- (a) a partnership, shareholders, operating, employment, or other similar type of agreement that restricts the rights of an LLLT or lawyer to practice after termination of the relationship, except an agreement concerning benefits upon retirement; or
- (b) an agreement in which a restriction on the LLLT's right to practice is part of the settlement of a client controversy.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 5.6 with no substantive changes except to reflect that LLLTs and lawyers may practice in the same firm. It applies to LLLTs and to firms in which both LLLTs and lawyers are associated analogously.

#### **LLLT RPC 5.7 RESPONSIBILITIES REGARDING LAW-RELATED SERVICES**

(a) An LLLT shall be subject to the LLLT RPC with respect to the provision of law-related services, as defined in paragraph (b), if the law-related services are provided:

- (1) by the LLLT in circumstances that are not distinct from the LLLT's provision of legal services to clients; or
- (2) in other circumstances by an entity controlled by the LLLT individually or with others if the LLLT fails to take reasonable measures to assure that a person obtaining the law-related services knows that the services are not legal services and that the protections of the client-LLLT relationship do not exist.

(b) The term "law-related services" denotes services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services, and that are not prohibited as unauthorized practice of law when provided by anyone except an LLLT or a lawyer.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 5.7 with no substantive changes except to change the reference to a "nonlawyer" (in Lawyer RPC 5.7(b)) to "anyone except an LLLT or a lawyer" (in Rule 5.7(b)) to avoid confusion. It applies to LLLTs analogously.

**LLLT RPC 5.8 MISCONDUCT INVOLVING LLLTs AND LAWYERS NOT  
ACTIVELY LICENSED TO PRACTICE LAW**

(a) An LLLT shall not engage in the practice of law while on inactive status, or while suspended from the practice of law for any cause.

(b) An LLLT shall not engage in any of the following with an LLLT or lawyer who is disbarred or suspended, or who has resigned in lieu of disbarment or discipline or whose license has been revoked or voluntarily canceled in lieu of discipline:

- (1) practice law with or in cooperation with such an individual;
- (2) maintain an office for the practice of law in a room or office occupied or used in whole or in part by such an individual;
- (3) permit such an individual to use the LLLT's name for the practice of law;
- (4) practice law for or on behalf of such an individual; or
- (5) practice law under any arrangement or understanding for division of fees or compensation of any kind with such an individual.

**Comment**

[1] This Rule was adapted from Lawyer RPC 5.8 with no substantive changes except to incorporate disciplinary dispositions applicable to LLLTs in paragraph (b). Otherwise, this Rule applies to LLLTs analogously.

**LLLT RPC 5.9 BUSINESS STRUCTURES INVOLVING LLLT AND LAWYER  
OWNERSHIP**

(a) Notwithstanding the provisions of Rule 5.4, an LLLT may:

- (1) share fees with a lawyer who is in the same firm as the LLLT;
- (2) form a partnership with a lawyer where the activities of the partnership consist of the practice of law; or
- (3) practice with or in the form of a professional corporation, association, or other business structure authorized to practice law for a profit in which a lawyer owns an interest or serves as a corporate director or officer or occupies a position of similar responsibility.

(b) An LLLT and a lawyer may practice in a jointly owned firm or other business structure authorized by paragraph (a) of this Rule only if:

- (1) LLLTs do not direct or regulate any lawyer's professional judgment in rendering legal services;
- (2) LLLTs have no direct supervisory authority over any lawyer;
- (3) LLLTs do not possess a majority ownership interest or exercise controlling managerial authority in the firm; and
- (4) lawyers with managerial authority in the firm expressly undertake responsibility for the conduct of LLLT partners or owners to the same extent they are responsible for the conduct of lawyers in the firm under Lawyer RPC 5.1.

**Comment**

[1] This Rule codifies the proposition that LLLTs may enter into fee-sharing arrangements and for-profit business relationships with lawyers. It is an exception to the general prohibition stated in Rule 5.4 that LLLTs may not share fees or enter into business relationships with individuals other than LLLTs. Rule 5.4 governs an LLLT's responsibilities with respect to individuals who are neither LLLTs nor lawyers.

[2] In addition to expressly authorizing intra-firm fee-sharing and business structures between LLLTs and lawyers in paragraph (a), paragraph (b) of the Rule sets forth limitations on the role of LLLTs in jointly owned firms, specifying that regardless of an LLLT's ownership interest in such a firm, the business may not be structured in a way that permits LLLTs directly or indirectly to supervise lawyers or to otherwise direct or regulate a lawyer's independent professional judgment. This includes a limitation on LLLTs possessing a majority ownership interest or controlling managerial authority in a jointly owned firm, a structure that could result indirectly in nonlawyer decision-making affecting the professional independence of lawyers. Lawyer managers, by contrast, will be required to undertake responsibility for a firm's LLLT owners by expressly assuming responsibility for their conduct to the same extent as they are responsible for the conduct of firm lawyers.

**TITLE 6. PUBLIC SERVICE**  
**LLLT RPC 6.1 PRO BONO PUBLICO SERVICE**

Every LLLT has a professional responsibility to assist in the provision of legal services to those unable to pay. An LLLT should aspire to render at least thirty (30) hours of pro bono publico service per year. In fulfilling this responsibility, the LLLTs should:

- (a) provide legal services without fee or expectation of fee to:
  - (1) persons of limited means or
  - (2) charitable, religious, civic, community, governmental, and educational organizations in matters which are designed primarily to address the needs of persons of limited means; and

(b) provide pro bono publico service through:

- (1) [Reserved.]
- (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
- (3) participation in activities for improving the law, the legal system or the legal profession.

Pro bono publico service may be reported annually on a form provided by the WSBA. An LLLT rendering a minimum of fifty (50) hours of pro bono publico service shall receive commendation for such service from the Limited License Legal Technician Board.

**Comment**

[1] Paragraph (a) of this Rule was adapted from Lawyer RPC 6.1(a) with no substantive changes and applies to LLLT's analogously.

[2] Paragraph (b) of this Rule was adapted from Lawyer RPC 6.1(b) with no substantive changes except that paragraph (b)(1) is reserved. Lawyer RPC 6.1(b)(1) refers to the delivery of pro bono public services to individuals or organizations to secure civil rights, civil liberties or public rights, or to further the organizational purposes of certain not-for-profit organizations and entities. These kinds of services are beyond the scope of a LLLT's authority under APR 28. Accordingly, Rule 6.1(b)(1) is reserved. Otherwise, this Rule applies to LLLT's analogously.

**LLLT RPC 6.2 [Reserved]**

**Comment**

[1] Lawyer RPC 6.2 relates to appointments by a tribunal for the representation of persons before that tribunal. These kinds of services are beyond the scope of an LLLT's authority under APR 28. Accordingly, Rule 6.2 is reserved.

**LLLT RPC 6.3 MEMBERSHIP IN LEGAL SERVICES ORGANIZATION**

An LLLT may serve as a director, officer, or member of a legal services organization, apart from the firm in which the LLLT practices, notwithstanding that the organization serves persons having interests adverse to a client of the LLLT. The LLLT shall not knowingly participate in a decision or action of the organization:

- (a) if participating in the decision or action would be incompatible with the LLLT's obligations to a client under Rule 1.7; or
- (b) where the decision or action could have a material adverse effect on the representation of a client of the organization whose interests are adverse to a client of the LLLT.

**Comment**



[1] This Rule was adapted from Lawyer RPC 6.3 with no substantive changes and applies to LLLTs analogously.

#### **LLLT RPC 6.4 LAW REFORM ACTIVITIES AFFECTING CLIENT INTERESTS**

An LLLT may serve as a director, officer, or member of an organization involved in reform of the law or its administration notwithstanding that the reform may affect the interests of a client of the LLLT. When the LLLT knows that the interests of a client may be materially benefited by a decision in which the LLLT participates, the LLLT shall disclose that fact but need not identify the client.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 6.4 with no substantive changes and applies to LLLTs analogously.

#### **LLLT RPC 6.5 NONPROFIT AND COURT-ANNEXED LIMITED LEGAL SERVICE PROGRAMS**

(a) An LLLT who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the LLLT or the client that the LLLT will provide continuing representation in the matter and without expectation that the LLLT will receive a fee from the client for the services provided:

- (1) is subject to Rules 1.7, 1.9(a), and 1.18(c) only if the LLLT knows that the representation of the client involves a conflict of interest, except that those Rules shall not prohibit an LLLT from providing limited legal services sufficient only to determine eligibility of the client for assistance by the program and to make an appropriate referral of the client to another program;
- (2) is subject to Rule 1.10 only if the LLLT knows that another LLLT or lawyer associated with the LLLT in a firm is disqualified by Rule 1.7 or 1.9(a), or by Lawyer RPC 1.7 or 1.9(a), with respect to the matter; and
- (3) notwithstanding paragraph (1) and (2), is not subject to Rules 1.7, 1.9(a), 1.10, or 1.18(c) in providing limited legal services within the authorized scope of the LLLT's practice to a client if:
  - (i) any program LLLTs or lawyers representing the opposing clients are screened by effective means from information relating to the representation of the opposing client;
  - (ii) each client is notified of the conflict and the screening mechanism used to prohibit dissemination of information relating to the representation; and
  - (iii) the program is able to demonstrate by convincing evidence that no material information relating to the representation of the opposing client

was transmitted by the personally disqualified LLLTs or lawyers to the LLLT representing the conflicting client before implementation of the screening mechanism and notice to the opposing client.

(b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.

#### **Comment**

[1] This Rule was adapted from Lawyer RPC 6.5 with no substantive changes except to reflect that LLLTs and lawyers may practice in the same firm and to reflect the authorized scope of an LLLT's practice. It applies to LLLTs and to firms in which both LLLTs and lawyers are associated analogously.

### **TITLE 7. INFORMATION ABOUT LEGAL SERVICES** **LLLT RPC 7.1 COMMUNICATIONS CONCERNING AN LLLT'S SERVICES**

(a) An LLLT shall not make a false or misleading communication about the LLLT or the LLLT's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.

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(b) In all communications about the LLLT or the LLLT's services, an LLLT shall communicate the fact that the LLLT has a limited license to practice in the particular fields of law for which the LLLT is licensed, and shall not state or imply that an LLLT is licensed to practice in any other areas of law, or has an unlimited license to practice law in any area of law.

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#### **Comment**

[1] ~~This Rule~~ Paragraph (a) was adapted from is based on Lawyer RPC 7.1 with no substantive changes and the comments to Lawyer RPC 7.1 apply ~~ies~~ to LLLTs analogously. See also APR 28(H)(1) (prohibiting an LLLT from making any statement that the LLLT can or will obtain special favors from or has special influence with any court or governmental agency).

[2] If there are no lawyers in the firm, any firm name used by an LLLT in private practice shall include the words "Legal Technician."

### **LLLT RPC 7.2 ~~ADVERTISING~~ [Reserved.]**

~~(a) Subject to the requirements of Rules 7.1 and 7.3, an LLLT may advertise services through written, recorded, or electronic communication, including public media.~~

~~(b) An LLLT shall not give anything of value to a person for recommending the LLLT's services, except that an LLLT may~~

- ~~(1) — pay the reasonable cost of advertisements or communications permitted by this Rule;~~
- ~~(2) — pay the usual charges of a legal service plan or a not for profit LLLT referral service;~~
- ~~(3) — pay for a law practice in accordance with Rule 1.17; and~~
- ~~(4) — refer clients to a lawyer or to another LLLT pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the LLLT, if~~
  - ~~(i) — the reciprocal referral agreement is not exclusive, and~~
  - ~~(ii) — the client is informed of the existence and nature of the agreement.~~

~~(e) — Any communication made pursuant to this Rule shall include the name and office address of at least one LLLT or law firm responsible for its content.~~

#### **Comment**

~~[1] — This Rule was adapted from Lawyer RPC 7.2 with no substantive changes except to reflect that client referrals may occur reciprocally between lawyers and LLLTs. It applies to LLLTs analogously.~~

~~[2] — This Rule prohibits LLLTs from paying others for referrals. See also Rule 1.5(e) (prohibiting the division of fees with another LLLT or lawyer who is not in the same firm as the LLLT); Rule 5.4 (subject to Rule 5.9, prohibiting the sharing of fees with anyone who is not an LLLT).~~

~~[3] — In advertising, an LLLT also has an affirmative obligation to communicate the fact that the LLLT has a limited license to practice in the particular fields of law for which the LLLT is licensed and is prohibited from stating or implying that the LLLT is licensed to practice in any other areas of law, or has an unlimited license to practice law in any area of law. See Rule 7.4(a).~~

#### **LLLT RPC 7.3 ~~DIRECT CONTACT WITH PROSPECTIVE CLIENTS~~ SOLICITATION OF CLIENTS**

~~(a) An LLLT shall not directly or through a third person, by in-person, live telephone, or real-time electronic contact may solicit professional employment from a prospective client when a significant motive for the LLLT's doing so is the LLLT's pecuniary gain, unless the person contacted:~~

- ~~(1) is a lawyer or an LLLT the solicitation is false or misleading;~~

- (2) has a family, close personal, or prior professional relationship with the LLLT; or the LLLT knows or reasonably should know that the physical, emotional, or mental state of the subject of the solicitation is such that the person could not exercise reasonable judgment in employing an LLLT;
- (3) has consented to the contact by requesting a referral from a not for profit LLLT referral service; the subject of the solicitation has made known to the LLLT a desire not to be solicited by the LLLT; or
- (4) the solicitation involves coercion, duress, or harassment.

**(b)** ~~An LLLT shall not solicit professional employment from a prospective client by written, recorded or electronic communication or by in person, telephone, or real time electronic contact even when not otherwise prohibited by paragraph (a), if, compensate, or give or promise anything of value to, a person who is not an employee or LLLT in the same firm for the purpose of recommending or securing the services of the LLLT or law firm, except that an LLLT may:~~

- (1) the prospective client has made known to the LLLT a desire not to be solicited by the LLLT; or pay the reasonable cost of advertisements or communications permitted by Rule 7.1, including online group advertising;
- (2) the solicitation involves coercion, duress or harassment; pay the usual charges of a legal service plan or a not-for-profit LLLT referral service;
- (3) pay for a law practice in accordance with Rule 1.17;
- (4) refer clients to a lawyer or to another LLLT or other nonlawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the LLLT, if:
  - (i) the reciprocal referral agreement is not exclusive, and
  - (ii) the client is informed of the existence and nature of the agreement; and
- (5) give nominal gifts that are neither intended nor reasonably expected to be a form of compensation for recommending an LLLT's services.

**(c)** ~~[Reserved.]~~

**(d)** ~~Notwithstanding the prohibitions in paragraph (a), an LLLT may participate with a prepaid or group legal service plan operated by an organization not owned or directed by the LLLT that uses in person or telephone contact to solicit memberships or subscriptions for the plan from persons who are not known to need legal services in a particular matter covered by the plan.~~

#### Comment

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[1] This Rule ~~was adapted from~~ is based on Lawyer RPC 7.3 with no substantive changes except to reflect that LLLTs may solicit employment from lawyers as well as other LLLTs, and that referral services may refer to both lawyers and LLLTs. ~~This Rule~~ The comments to Lawyer RPC 7.3 apply ~~ies~~ to LLLTs analogously.

[2] This Rule prohibits LLLTs from paying others for referrals. *See also* Rule 1.5(e) (prohibiting the division of fees with another LLLT or lawyer who is not in the same firm as the LLLT); Rule 5.4 (subject to Rule 5.9, prohibiting the sharing of fees with anyone who is not an LLLT).

#### **LLLT RPC 7.4 COMMUNICATION OF FIELDS OF PRACTICE AND SPECIALIZATION**~~[RESERVED.]~~

~~(a) In all advertising, an LLLT shall communicate the fact that the LLLT has a limited license practice in the particular fields of law for which the LLLT is licensed, and shall not state or imply that an LLLT is licensed to practice in any other areas of law, or has an unlimited license to practice law in any area of law.~~

~~(b) [Reserved.]~~

~~(c) [Reserved.]~~

~~(d) An LLLT shall not state or imply that an LLLT is "certified," a "specialist," or an "expert," or use any other similar term to describe his or her qualifications as an LLLT, but may identify any award or recognition that the LLLT has received from a group, organization, or association. If an LLLT has received any other legal title, credential, or certificate from any group, organization, or association, then the LLLT may identify the legal title, credential, or certificate provided that the reference must:~~

~~(1) be truthful and verifiable and otherwise comply with Rule 7.1;~~

~~(2) identify the group, organization, or association that issued the legal title, credential, or certificate; and~~

~~(3) state that the Supreme Court of Washington does not recognize certification of specialties in the practice of law and that the legal title, credential, or certificate is not a requirement of the LLLT's limited license to practice in the particular fields of law for which the LLLT is licensed.~~

#### **Comment**

~~[1] An LLLT's license to provide legal services is unique and may not be understood by persons who are not familiar with the limited scope of practice of an LLLT and with the differences between an LLLT and a lawyer. Advertising is designed to help educate the public on the availability of legal services, but advertising by an LLLT may not be false or misleading. See Rule 7.1. In order to avoid confusion about the scope of services that an LLLT can provide~~

as distinct from the broader scope of services that a lawyer is authorized to provide, advertising by an LLLT must communicate that an LLLT may deliver legal services only within a limited scope. Accordingly, Rule 7.4(a) differs from Lawyer RPC 7.4(a) in that it requires that all advertising by an LLLT communicate relevant facts concerning the scope of the LLLT's license and expressly prohibits communications that state or imply that the LLLT's license exceeds that scope.

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[2]—Lawyer RPC 7.4(b) pertains to a patent practice before the United States Patent and Trademark Office, a practice that exceeds the authorized scope of APR 28. Accordingly, Rule 7.4(b) is reserved.

[3]—Lawyer RPC 7.4(c) pertains to an admiralty practice, a practice that exceeds the authorized scope of APR 28. Accordingly, Rule 7.4(c) is reserved.

[4]—In order to avoid confusion about the scope of services that an LLLT can provide, APR 28(H)(4) prohibits an LLLT from representing or advertising, in connection with the provision of legal services, other legal titles or credentials that could cause a client to believe that the LLLT possesses professional legal skills beyond those authorized by the license held by the LLLT. The terms “certified,” “specialist,” “expert,” and similar terms suggest achievement of skills beyond those that are authorized by the LLLT's license, and may not be used when describing an LLLT's credentials. Other titles and recognitions, however, may provide useful information that is not likely to mislead clients or potential clients concerning the skills and authorized scope of an LLLT's practice. Accordingly, if an LLLT has received a legal title, credential, or certificate from a group, organization, or association, the LLLT may identify that title, credential, or certificate so long as communications about it meet the requirements enumerated in Rule 7.4(d)(1)–(3). Those requirements are substantially similar to Lawyer Rule 7.4(d)(1)–(3). An LLLT may also identify awards and recognitions that the LLLT has received from a group, organization, or association.

#### **LLLT RPC 7.5 ~~FIRM NAMES AND LETTERHEADS~~[RESERVED.]**

(a)—An LLLT shall not use a firm name, letterhead, or other professional designation that violates Rule 7.1. A trade name may be used by an LLLT in private practice if the trade name does not imply that lawyers are members or employees of the firm unless that is the case, and if it does not imply a connection with a government agency or with a public or charitable legal services organization and is not otherwise in violation of Rule 7.1. If there are no lawyers in the firm, any firm name used by an LLLT in private practice shall include the words “Legal Technician.”

(b)—A law firm with offices in more than one jurisdiction may use the same name or other professional designation in each jurisdiction, but identification of the lawyers or LLLTs in an office of the firm shall indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located.

~~(c) — The name of an LLLT or lawyer holding a public office shall not be used in the name of a law firm, or in communications on its behalf, during any substantial period in which the LLLT or lawyer is not actively and regularly practicing with the firm.~~

~~(d) — LLLTs may state or imply that they practice in a partnership or other organization only when that is a fact.~~

**Comment**

~~[1] — This Rule was adapted from Lawyer RPC 7.5 with no substantive changes except that provisions have been added to subpart (a) to require that any trade name not imply that lawyers are members or employees of the firm unless that is the case, and that, if there are no lawyers in the firm, any trade name include the words “Legal Technician.” Otherwise, this Rule applies to LLLTs analogously.~~

~~[2] — An LLLT’s license to provide legal services is unique and may not be understood by persons who are not familiar with the limited scope of an LLLT’s practice and with the differences between an LLLT and a lawyer. A trade name is a brand and is therefore similar to forms of advertising and is often used in advertising. A trade name must not be false or misleading. See Rules 7.1 and 7.4. In order to avoid confusion, trade names should communicate the nature of the legal services that a licensed practitioner or firm can deliver. Rule 7.5(a) requires that any trade name communicate relevant facts concerning the scope of the legal services that can be delivered by the legal professional or firm.~~

**LLL RPC 7.6 POLITICAL CONTRIBUTIONS TO OBTAIN GOVERNMENT LEGAL ENGAGEMENTS OR APPOINTMENTS BY JUDGES**

An LLLT or law firm shall not accept a government legal engagement or an appointment by a judge if the LLLT or law firm makes a political contribution or solicits political contributions for the purpose of obtaining or being considered for that type of legal engagement or appointment.

**Comment**

[1] This Rule was adapted from Lawyer RPC 7.6 with no substantive changes and applies to LLLTs analogously.

**TITLE 8. MAINTAINING THE INTEGRITY OF THE PROFESSION  
LLL RPC 8.1 LIMITED LICENSURE AND DISCIPLINARY MATTERS**

An applicant for limited licensure, or an LLLT in connection with a limited licensure or reinstatement application, or lawyer's bar admission, or in connection with a lawyer or LLLT disciplinary matter, shall not:

- (a) knowingly make a false statement of material fact; or
- (b) fail to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from

a licensing or disciplinary authority, except that this Rule does not require disclosure of information otherwise protected by Rule 1.6.

**Comment**

[1] This Rule was adapted from Lawyer RPC 8.1 with no substantive changes except to reflect the difference between admission to the Bar (for a lawyer) and limited licensure (for an LLLT). This Rule applies to LLLTs analogously.

**LLLT RPC 8.2 JUDICIAL AND LEGAL OFFICIALS**

(a) An LLLT shall not make a statement that the LLLT knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications, integrity, or record of a judge, adjudicatory officer, or public legal officer, or of a candidate for election or appointment to judicial or legal office.

(b) [Reserved.]

**Comment**

[1] Rule 8.2(a) was adapted from Lawyer RPC 8.2(a) with no substantive changes and applies to LLLTs analogously.

[2] Lawyer Rule 8.2(b) pertains to lawyers who are candidates for judicial office. Judges in the judicial branch of the state of Washington must be lawyers. Accordingly, Rule 8.2(b) does not apply to LLLTs and is reserved.

**LLLT RPC 8.3 REPORTING PROFESSIONAL MISCONDUCT**

(a) An LLLT who knows that another LLLT or a lawyer has committed a violation of the applicable Rules of Professional Conduct that raises a substantial question as to that LLLT's or that lawyer's honesty, trustworthiness, or fitness as an LLLT or lawyer in other respects, should inform the appropriate professional authority.

(b) An LLLT who knows that a judge has committed a violation of applicable rules of judicial conduct that raises a substantial question as to the judge's fitness for office should inform the appropriate authority.

(c) This Rule does not permit an LLLT to report the professional misconduct of another LLLT, a lawyer, or a judge to the appropriate authority if doing so would require the LLLT to disclose information otherwise protected by Rule 1.6.

**Comment**

[1] This Rule was adapted from Lawyer RPC 8.3 with no substantive changes except to reflect that LLLTs have the same rights and responsibilities with respect to the actions of lawyers that they have with respect to the actions of LLLTs. It applies to LLLTs analogously.

**LLLT RPC 8.4 MISCONDUCT**



It is professional misconduct for an LLLT to:

- (a)** violate or attempt to violate the LLLT RPC, knowingly assist or induce another to do so, or do so through the acts of another;
- (b)** commit a criminal act that reflects adversely on the LLLT's honesty, trustworthiness, or fitness as an LLLT in other respects;
- (c)** engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d)** engage in conduct that is prejudicial to the administration of justice;
- (e)** state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the LLLT Rules of Professional Conduct or other law;
- (f)** knowingly assist
  - (1)** a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law or
  - (2)** a lawyer in conduct that is a violation of the lawyer Rules of Professional Conduct or other law;
- (g)** commit a discriminatory act prohibited by state law on the basis of sex, race, age, creed, religion, color, national origin, disability, sexual orientation, or marital status, where the act of discrimination is committed in connection with the LLLT's professional activities. In addition, it is professional misconduct to commit a discriminatory act on the basis of sexual orientation if such an act would violate this Rule when committed on the basis of sex, race, age, creed, religion, color, national origin, disability, or marital status. This Rule shall not limit the ability of an LLLT to accept, decline, or withdraw from the representation of a client in accordance with Rule 1.16;
- (h)** in representing a client, engage in conduct that is prejudicial to the administration of justice toward LLLTs, lawyers, judges, other parties, witnesses, jurors, or court personnel or officers, that a reasonable person would interpret as manifesting prejudice or bias on the basis of sex, race, age, creed, religion, color, national origin, disability, sexual orientation, or marital status. This Rule does not restrict an LLLT from assisting a client to advance material factual or legal issues or arguments.
- (i)** commit any act involving moral turpitude, or corruption, or any unjustified act of assault or other act which reflects disregard for the rule of law, whether the same be committed in the course of his or her conduct as an LLLT, or otherwise, and whether the same constitutes a felony or misdemeanor or not; and if the act constitutes a felony or misdemeanor, conviction thereof in a criminal proceeding shall not be a condition precedent to disciplinary action, nor shall acquittal or dismissal thereof preclude the commencement of a disciplinary proceeding;

- (j) willfully disobey or violate a court order directing him or her to do or cease doing an act which he or she ought in good faith to do or forbear;
- (k) violate his or her oath as an LLLT;
- (l) violate a duty or sanction imposed by or under the LLLT REC in connection with a disciplinary matter; including, but not limited to, the duties catalogued at LLLT REC 1.5;
- (m) [Reserved];
- (n) engage in conduct demonstrating unfitness to practice law; or
- (o) violate or attempt to violate APR 28 (F)-(H) or Appendix APR 28 Regulation 2.

**Comment**

[1] This Rule was adapted from Lawyer RPC 8.4 with no substantive changes except as discussed in these Comments, and otherwise applies to LLLT's analogously.

[2] An LLLT holds a unique form of license to practice law. As a legal professional, an LLLT has a duty to uphold the integrity of the justice system and of those who are authorized to participate in it as judges, lawyers, and LLLTs. Rule 8.4(f)(1) prohibits an LLLT from knowingly assisting a judge or judicial officer in conduct that violates applicable rules of judicial conduct or other law. Rule 8.4(f)(2) adds a prohibition against knowingly assisting a lawyer in conduct that violates the Lawyer RPC or other law. Rule 8.4(f)(2) is substantially identical to Rule 8.4(f)(1) except for its reference to the applicable code of conduct and should be interpreted and applied analogously. Similarly, Rule 8.4(h) has been modified to reflect that an LLLT's obligation to avoid conduct that is prejudicial to the administration of justice extends to an LLLT's conduct toward lawyers.

[3] Lawyer Rule 8.4(m) pertains to lawyers who serve as judges. Judges in the judicial branch of the state of Washington must in nearly all instances be lawyers. Accordingly, because Rule 8.4(m) will have little or no applicability to LLLTs, it is reserved.

[4] LLLTs are subject to discipline when they violate or attempt to violate the LLLT RPC, knowingly assist or induce another to do so, or do so through the acts of another, as when they require or instruct an agent to do so on the LLLT's behalf. In this way, LLLTs are held to the same standards that apply to lawyers. Rule 8.4(o), which does not appear in the Lawyer RPC, states that violating or attempting to violate APR 28(F-H) or Appendix APR 28 Regulation 2 is professional misconduct that subjects an LLLT to discipline.

**LLL RPC 8.5 DISCIPLINARY AUTHORITY**

(a) **Disciplinary Authority.** An LLLT licensed to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of where the LLLT's conduct occurs.

(b) [Reserved.]

(c) [Reserved.]

**Comment**

[1] The first sentence of Rule 8.5 was adapted from the first sentence of Lawyer RPC 8.5 with no substantive changes and applies to LLLT's analogously.

[2] An LLLT holds a unique form of license to practice law. Unlike lawyers, LLLT's are not recognized licensed legal practitioners in jurisdictions other than Washington. With the exception of the first sentence of Lawyer RPC 8.5, that rule applies either to the conduct of lawyers from this jurisdiction who practice law in another jurisdiction, lawyers from another jurisdiction who practice law in this jurisdiction, and lawyers who serve as judges or justices. For this reason, paragraphs (b) and (c) are reserved.

[Adopted February 3, 2015.]

**APPENDIX** [Reserved]

April 30, 2018

The Honorable Mary Fairhurst  
Washington State Supreme Court Chief Justice  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504

Re: Suggested Amendments to APR 28

Dear Chief Justice Fairhurst:

I write on behalf of the Limited License Legal Technician Board (LLLT Board) to respond to and address some of the concerns raised by Ms. Jean Cotton's April 17, 2018, letter to the Court. First, to clarify, LLLT proponents did not intentionally make misleading assertions during early stage discussions of the license, nor have they since then. The fact that current APR 28 and related regulations are broader than originally described in 2004 is the result of comprehensive considerations and deliberations. The proposed changes are the natural evolution of a new profession and a necessary expansion to provide better access to justice while keeping the license accessible, affordable, and academically rigorous.

The LLLT Board is not "tone-deaf" or "dismissive of concerns" related to the LLLT license. In fact, the LLLT Board values input and seeks comments and feedback for improving the existing family law practice area and developing new practice areas, which is how we arrived at recommending the suggested enhancements to the rule. Furthermore, the LLLT Board acted with purposeful caution with this important development. The LLLT Board began discussions related to the suggested amendments in late 2014 in response to questions and concerns from law school professors who were teaching the LLLT practice area classes. The Family Law Advisory Workgroup<sup>1</sup> of the LLLT Board studied the issues raised by the professors and by students in the LLLT classes, practicing LLLTs, and lawyers working with LLLTs and made recommendations to

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<sup>1</sup> Members of the workgroup and invited subject matter experts that reviewed APR 28 and the scope of the family law practice area included Lupe Artiga, Rita Bender, Professor Karen Boxx, Jeanne Dawes, Ellen Dial, Lynn Fleischbein, Nancy Ivarinen (Chair), Professor Gail Hammer, Professor Patricia Kuszler, Ruth Walsh McIntyre, Jennifer Petersen, and Professor Terry Price.



the LLLT Board. The LLLT Board then posted the suggested amendments to APR 28 on the WSBA website and solicited comments between May and July 2017. Finally, the Family Law Advisory Workgroup reviewed over 30 comments, as well as informal feedback from the Access to Justice Board's Rules Committee and modified the suggested amendments where it deemed necessary before submitting them to the LLLT Board for approval and the Court for consideration.

Finally, it might be the belief of some proponents, but the LLLT Board does not maintain that the LLLT license was intended to be the "savior of the legal profession." To the contrary, the LLLT Board strongly believes that LLLTs are only one piece of the puzzle in the seemingly endless quest for access to justice for all. LLLTs alone will not solve the access to justice crisis, but neither will lawyers alone; the unmet need is far too great. Lawyers are invaluable, but not every legal problem requires a lawyer and not every client can afford one. LLLTs can provide meaningful assistance to this growing number of clients.

The LLLT Board now responds to Ms. Cotton's main contentions:

***1. LLLTs Will Not Represent Clients in Court and Other Proceedings, Only Assist Clients as Pro Se Litigants***

Quoting two articles written in 2008, Ms. Cotton points out that proponents asserted that LLLTs would never be able to represent clients in court hearings or negotiate a case. While the LLLT Board appreciates the original intent and limitations of the license, it is impossible to completely foresee the evolution of a profession. It would be particularly unfair to LLLT clients to halt any future enhancement solely to avoid contradicting ten-year-old statements regarding the original intent of the license. The law evolves and so should the practice of law.

LLLTs have shared stories of sitting in court, unable to speak, while the client inaccurately describes steps taken or relevant legal issues. Or a client is there alone and attempts to relay later to the LLLT what transpired but is unable to do so because they are confused or unclear. Preventing LLLTs from assisting in court further the confusion, delay and disadvantage affecting pro se litigants. The recent ABA Journal article, *Legal technicians belong in courtrooms*, provided to the Court as an attachment to this letter, further highlights the need for courtroom assistance.

To address the substance of Ms. Cotton's concerns, while the suggested amendments to APR 28 enhance the initial scope of representation, these amendments would not allow LLLTs to represent a client in a court or tribunal as a lawyer would, and LLLT clients will continue to be





considered pro se litigants. The following serves to illustrate some of the safeguards that would be preserved or created by the suggested amendments:

- LLLTs are prohibited from conducting or defending depositions;
- LLLTs cannot initiate or respond to an appeal to an appellate court;
- LLLTs may provide services regarding division of real property only in matters where the real property is a single family residential dwelling with owner equity less than or equal to twice the homestead exemption. LLLTs must follow strict guidelines in that property division, using a form developed by the LLLT Board;
- LLLTs may advise as to the allocation of retirement assets for defined contribution plans with a value less than the homestead exemption;
- LLLTs are prohibited from preparing QDROs or supplemental orders dividing retirement assets;
- LLLTs are limited to responding to direct questions from the court or tribunal regarding factual and procedural issues only;
- LLLTs are prohibited from providing legal assistance with objections or responses in contested relocation actions.

## ***2. Financial Information***

Ms. Cotton is correct in stating that the administration of the LLLT license and functions of the LLLT Board are funded by license fees. The fact that the administration of the LLLT program is primarily funded by license fees is unrelated to the suggested enhancements. The license exists; there currently are 36 LLLTs and more people are preparing to get a LLLT license every year.

Regarding statements made concerning the Limited Practice Officer program, the LLLT Board is not in a position to evaluate and make comparisons to a program that it does not oversee. However, it should be noted that when the LPO license was created, many of those individuals who were later licensed were already performing the services, so there was no need to develop educational requirements prior to licensing those people. A relatively large number of LPOs were grandfathered in and simply needed to obtain the license.

## ***3. LLLTs Do Not Diminish a Lawyer's Role***

The LLLT Board understands that while some lawyers see the LLLT license as a threat to their livelihood, the LLLT Board also understands that there are other reasons for opposing the LLLT license. The LLLT Board values those opinions. In fact, the LLLT Board has sought and continues to seek comments from opponents as well as proponents of the LLLT license.



What cannot be ignored are the thousands of people in the State of Washington who simply cannot afford a lawyer (and many who cannot afford a LLLT). It is the obligation of all lawyers and the Bar to find options for all citizens. It is highly unlikely that the government will provide the substantive amount of money that would be required to fund civil legal aid providers or courthouse facilitators to adequately meet the need. The profession needs to evolve to include an array of legal professionals who can meet the varied needs of clients. The Court adopted the LLLT license in order to provide greater access by the public to trained and licensed legal professionals. The suggested amendments further this goal by allowing LLLTs to provide more comprehensive services to their pro se clients. The LLLT Board therefore urges the Court to adopt the suggested amendments to improve LLLTs' ability to render efficient and effective legal services to pro se clients.

Respectfully,



Stephen R. Crossland  
Chair, Limited License Legal Technician Board

attachment

cc: Justices of the Washington Supreme Court  
WSBA Board of Governors







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## Legal technicians belong in courtrooms

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Mary Juetten

One of the constant criticisms of the Washington limited license legal technician is that there only around 30 licensed technicians so far—even though the program is still in its infancy. A second challenge is that, currently, the LLLT cannot represent a client in court.

In many jurisdictions that are considering LTs, or something similar, the impetus is not just to deter the unauthorized practice of law and protect consumers but to also reduce the number of unrepresented litigants. Here, I will examine the apparent contradiction to reduce this unrepresented number with programs that recommend creation of LTs that cannot represent clients by comparing the proposed LT programs in Oregon and Utah with the New York City Court Navigator Program and the Ontario, Canada, paralegal program.

### U.S. COURT BOTTLENECKS: ALLOW NONLAWYERS IN COURT

States like Oregon and Utah have studied Washington in developing their proposed LT programs. However both have stopped short of recommending that nonlawyers be allowed to appear on behalf of clients in court. On a continuum, it appears that Utah has decided that LTs cannot attend court and Oregon has proposed to allow LT attendance but has not gone as far as the NYC CNP.

NYC launched the CNP in February 2014, using nonlawyers to support and assist unrepresented litigants during their court appearances in landlord-tenant and consumer debt cases. Court Navigators, who have special training and are supervised, give general information, written materials and one-on-one assistance. Also, Court Navigators provide moral support, assist with court forms, help keep paperwork orderly, access interpreters and explain the court process to litigants, including the roles of everyone in the courtroom (<https://www.nycourts.gov/courts/nyc/housing/rap.shtml>). The Court Navigator is also permitted into the



courtroom in the Bronx, New York, Kings, and Queens County Housing Court and Bronx Civil Court to respond to factual questions asked by the judge but not to represent clients in the traditional lawyer sense. The program has been a success as reported in this 2016 American Bar Foundation report

([http://www.americanbarfoundation.org/uploads/cms/documents/new\\_york\\_city\\_court\\_navigators\\_executive\\_summary\\_final\\_with\\_final\\_links\\_december\\_2016.pdf](http://www.americanbarfoundation.org/uploads/cms/documents/new_york_city_court_navigators_executive_summary_final_with_final_links_december_2016.pdf)), and most importantly, the clients benefit.

The statistics in the 2015 Utah Supreme Court Task Force to Examine Limited Legal Licensing report ([http://www.utcourts.gov/committees/limited\\_legal/Supreme Court Task Force to Examine Limited Legal Licensing.pdf](http://www.utcourts.gov/committees/limited_legal/Supreme_Court_Task_Force_to_Examine_Limited_Legal_Licensing.pdf)) identify the need for courtroom help with the top three categories outlined below:

- Debt Collection: Of 67,510 cases, 98 percent of respondents were self-represented, and all petitioners had counsel.
- Eviction: Of 7,465 cases, 96 percent of respondents were self-represented, and 87 percent of petitioners had counsel.
- Divorce / annulment: Of 13,227 cases, 80 percent of respondents were self-represented, and only 48 percent of petitioners had counsel.

There is clearly a lopsided or David-and-Goliath issue with the first two categories, which is problematic. The situation with family law issues, however, is even worse, as oftentimes, both parties are unrepresented. Although Utah does propose a LT (licensed paralegal practitioner) in each of the above areas, that LT will *not* be allowed into court, even to sit with the litigant. The Utah task force seems to rely on the definition of the practice of law, which is so broad that the rationale from their report below can fit:

Unless there is an approved form, moving beyond "information, opinions or recommendations" to counsel and advice should be reserved for a licensed lawyer. Just as diagnosis of a symptom's cause is at the core of the physician's role, recognizing that a person's circumstance creates legally enforceable obligations, rights and remedies is at the heart of what lawyers do. Lawyers, also like doctors, should be the only professionals authorized to advise on a course of action, and assist in completing that course of action.

The above seems to ignore the idea of the CNP or the LT performing some of the exclusive "lawyer" functions, creating something akin to the nurse practitioner or paramedic. The medical profession has not held onto all the functions and allows others with proper training and certifications to perform various medical tasks.

I spoke with Utah Supreme Court Justice Constandinos "Deno" Himonas because the program has not yet rolled out in Utah, but he hopes for a fall implementation with the education component launching then.

"I can't speak for others, but my sense was that there wasn't a great deal of momentum on the committees to allow the [licensed paralegal practitioners] to represent their clients in court," he says. "Perhaps it would make sense to allow for such representation—I've been told that Washington is rethinking their position on this issue; perhaps not. It's certainly something the court could consider in the future if post-adoption evaluations of the LPP program warrant."

More recently, in November 2017, Oregon released its initial recommendations ([http://www.osbar.org/\\_docs/resources/2017FuturesTFSummary/offline/download.pdf](http://www.osbar.org/_docs/resources/2017FuturesTFSummary/offline/download.pdf)) on paraprofessionals for family law and landlord-tenant proceedings. Recommendation 1.9 proposes the permitted LT activities, including form selection and preparation plus provision of information and advice. As proposed, the LT would be able to communicate and negotiate with the



opponent and give emotional and administrative support in court. So, Oregon could possibly go further than Utah to let the LT provide a supporting role in court, but would not allow for actual representation at depositions, in court or on appeal.

I discussed some of the findings around the need for LTs as opposed to lawyers with John Grant of The Agile Attorney Network (<https://agileattorney.com/>). John co-chaired the Oregon State Bar Futures Task Force and is a current member of the bar's board of governors. He explained that like many other states, "Oregon has been promoting pro bono service for at least a generation, but the access-to-justice gap keeps growing" as self-represented litigants top 80 percent for family law and landlord-tenant. Further, the Oregon report cited the possibility that lawyers and LTs would work together, much like Arizona's certified legal document preparers and attorneys, as I discussed last time

([http://www.abajournal.com/news/article/integrating\\_paraprofessionals\\_into\\_practice\\_part\\_iii](http://www.abajournal.com/news/article/integrating_paraprofessionals_into_practice_part_iii)).

John explained that the services being provided by LTs would not take work away from lawyers, "especially since the number of lawyers in Oregon is projected to decline over the next decade as baby boomers retire, which will only make the A2J gap worse." The challenge of the underemployed lawyer, particularly the solo attorney, is really based on mismatch of the services being offered at high rates and the needs and ability to pay of the average citizen. New lawyers are saddled with law school debt and therefore struggle to serve the population by either lowering rates or developing new business models.

"Something has to change to provide meaningful legal services to the more than 1.2 million Oregonians who are not being served by lawyers today," John explains. "We lawyers need to consider the possibility that we are simultaneously doing excellent work for the clients we have and yet still failing large swaths of society as a whole. For lawyers to largely abandon entire segments of the population but then lock the gates to the marketplace behind us is borderline unconscionable."

As far as timelines: "Oregon does plan to move forward with licensing paraprofessionals," said Helen Hirschbiel, executive director of the Oregon State Bar. "The exact form that will take is still up for discussion as the implementation committee does its work."

At least one candidate for Oregon's recent House of Delegates election expressly stated her opposition to the program. It will be interesting to see how long it takes before LT programs are launched in both Utah and Oregon.

## LOOK OUTSIDE THE U.S. FOR SUCCESS IN NONLAWYERS IN COURT

Over a decade ago in Canada, in 2007 the province of Ontario brought paralegal or legal services provider regulation under its version of the bar association, The Law Society of Ontario (<https://www.lsuc.on.ca/>). Diana Miles, now CEO of LSO, was involved when the Ontario, Canada, program started. Diana commented that although the main objective was to have the Law Society maintain regulatory control over LSPs with a structured program, a secondary goal was to alleviate court congestion by resolving matters prior to litigation. However, these LSPs are allowed to represent clients in court in very specific situations, such as matters before the small claims court, provincial boards and agencies, and matters (such as driving offenses) before the Ontario Court of Justice. Their education, training and examinations are very different from the education, training and examinations required to become a lawyer, but LSO oversees the entire LSP profession

(<http://www.lsuc.on.ca/licensingprocessparalegal/>).

Today there are some 9,000 LSP with licenses, and although only half are active, they have solved thousands of clients' legal problems. In 2012, a five-year review (<http://lawsocietygazette.ca/wp-content/uploads/2012/07/Paralegal-5-year-Review.pdf>) of the LSP found that the program was a success, and "provided consumer protection while maintaining access to



justice." In fact, in 2016 it was recommended that the LSP expand into family law, and that proposal is still under review. Letting go of the monopoly has not destroyed Ontario's legal profession and consumers were not harmed.

It's interesting that the Ontario LSPs require 120 hours of field work, as well as study at an accredited college—not law school—and are allowed into court. On the other hand, the Washington LLLT must attend law school CLE classes at great expense and complete 3,000 hours as discussed here

([http://www.abajournal.com/news/article/the\\_limited\\_license\\_legal\\_technician\\_story\\_start\\_with\\_why](http://www.abajournal.com/news/article/the_limited_license_legal_technician_story_start_with_why)) and are not allowed into court. Oregon has reduced the hours but still proposes a 1,500-hour practicum. It still seems like the U.S. programs are protecting lawyers, but ironically, clients are not hiring lawyers for this work, nor do lawyers wish to take on these cases.

I believe that the LT programs in states like Oregon and Utah should allow for limited representation to help alleviate the bottlenecks and burden on the courts, at least as much as the NYC CNP. We could learn much from the success of Ontario's LSPs in terms of scope and education. Of course, this requires change to regulation, education, and certification in each and every state. However, given the statistics above, clients will continue to represent themselves, and therefore we need an alternative to lawyers as one piece of our access-to-justice solution.

While writing this piece, one of Washington's LLLT reached out to invite me to a Washington State Bar meeting where the control of the LLLT board was to be amended. Unfortunately, that could mean that proposals to expand the LLLT scope to include any type of court appearance may be rejected. As I have stated in this series, lawyers must embrace this change as an expansion of the industry, not cling to their monopoly while citing concern for consumers. Next time, in the last installment, I will provide some recommendations on legal technicians in the U.S. and an update on any LLLT changes in Washington state.

*Mary E. Juetten, CA, CPA, JD is founder and CEO of Traklight (<http://www.traklight.com/>). In 2015, Mary co-founded Evolve Law (<http://evolvewlawnow.com/>), an organization for change and technology adoption in the law. She was named to the ABA's Legal Technology Resource Center 2016 Women in Legal Tech list and the Fastcase 50 Class of 2016. She is the author of ([http://legalsolutions.thomsonreuters.com/law-products/Other/Small-Law-Firm-KPIs-How-to-Measure-Your-Way-to-Greater-Profits/p/103744978?trkcode=666584H51426\\_VAN&trktype=external&ts=true](http://legalsolutions.thomsonreuters.com/law-products/Other/Small-Law-Firm-KPIs-How-to-Measure-Your-Way-to-Greater-Profits/p/103744978?trkcode=666584H51426_VAN&trktype=external&ts=true)) Small Law Firm KPIs: How to Measure Your Way to Greater Profits ([http://legalsolutions.thomsonreuters.com/law-products/Other/Small-Law-Firm-KPIs-How-to-Measure-Your-Way-to-Greater-Profits/p/103744978?trkcode=666584H51426\\_VAN&trktype=external&ts=true](http://legalsolutions.thomsonreuters.com/law-products/Other/Small-Law-Firm-KPIs-How-to-Measure-Your-Way-to-Greater-Profits/p/103744978?trkcode=666584H51426_VAN&trktype=external&ts=true)). She is always looking for success stories where technology has been used to bridge the justice gap, from pro-bono through low-bono to non-traditional legal services delivery. Reach out to her on Twitter @maryjuetten (<http://www.twitter.com/maryjuetten>).*



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