



# PRACTICE *of* LAW BOARD

Established by Washington Supreme Court  
Administered by the WSBA

Lesli Ashley, Chair

**Meeting Minutes**  
**April 30, 2025**  
**In-person Retreat**  
**10:00 a.m.-4:00 p.m.**

**Practice of Law Board Members in Attendance:**

- ☒ Lesli Ashley, Chair
- ☒ John Dirgo Deweese
- ☒ Rory Hardy
- ☒ Melissa Kover
- ☐ Ellen Reed

- ☒ Ronald Satterthwaite
- ☒ Craig Shank
- ☒ Drew Simshaw
- ☒ Murugeshwari Subramanian
- ☒ Michael Terasaki
- ☒ Aaron Vanderpol

**Liaisons in Attendance:**

- ☒ Bobby Henry, WSBA Staff Liaison
- ☒ Kristina Larry, BOG Liaison

**Other WSBA Staff in Attendance:**

- ☒ Renata de Carvalho Garcia, Chief Regulatory Counsel
- ☒ Anne Trent, RSD Paralegal
- ☐ Cathy Biestek, Managing Regulatory Counsel
- ☐ Terra Nevitt, Executive Director

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## **PUBLIC SESSION**

### **Call to Order**

The meeting was called to order at 10:13 a.m. by Chair Lesli Ashley.

### **Coordinating Unauthorized Practice of Law (UPL) Complaints**

The board discussed its role in handling UPL complaints. Prior to the restructuring of the board in 2017, the board had the ability to investigate complaints; however, this authority was removed by the Washington Supreme Court due to anti-trust concerns. Members of the board expressed concerns about acting as a middleman in the complaint process, noting that it is too time-consuming and may not add significant value to the process, the enforcement agency, or complainant. The board explored alternative procedures for reviewing UPL complaints. The general consensus of the board was to continue and improve collection of UPL data to better inform the public of UPL risk as part of the board's education duty. The board decided to form a UPL committee consisting of Michael Terasaki and Rory Hardy to recommend to the board a new process for UPL complaints.

### **Educating the Public About Competent Legal Assistance**

- **Legal Check-up:** Michael Terasaki informed the board that the Washington Law Help website is going to launch a completely new version in the coming days. The website's intended purpose is to educate and provide resources for legal help to the public. The new platform and tools available on Washington Law Help will better assist the public than the board's Legal Check Up. The board decided to sunset the Legal Check-Up.

- New Initiatives for Educating the Public; UPL: The board discussed the need to better inform the public about how to find competent legal assistance. Questions were raised about whether people know how to identify reliable legal help and how the board can serve as a vehicle to deliver this information to the public. Members noted that physical print materials are still valued by many and can be distributed directly to those in need. Suggestions for how to educate the public included creating materials with guidance of where to go for legal help on specific areas of law and creating lists of red flags and signs to watch out for when seeking legal help. The board identified three key questions to guide future efforts: What do we want the public to know? Who do we want to receive this information? How do we get the information to the public? An education subcommittee was formed to explore these issues, consisting of Aaron Vanderpol, Melissa Kover, Michael Terasaki, and Lesli Ashley.

### **Innovation for Providing Legal Services**

- Entity Regulation Pilot Project Update: Bobby Henry reported that the Entity Regulation Pilot Project is moving full steam ahead. Multiple subcommittees are forming, and several member volunteered to serve on the internal staff/board working committees. The application process is well underway and currently in the final drafting phase. The application will be developed by and using the same vendor used for the admissions applications so that the entity regulation can be completed online. The goal is to have the application ready for review by the board at the next meeting. Information is actively being collected from stakeholders to support the process. The entity regulation webpage on wsba.org has been revised to be more user friendly.
- Entity Regulation Budget FY 2026: The board decided that for purposes of application fees and annual fee there would be a reduced fee for “Access-Focused” entities. The board approved the following definition: An “Access-Focused Entity” is an entity with a primary focus of providing legal and law-related services to low income or low and moderate income individuals or households. Since the last meeting, the budget projections were revised to correct a couple small errors and to include costs for a background investigation process into applicants for pilot project. Due to the increase in the costs associated with the investigation, the board recommended increasing the proposed application fees to \$2,000 for general entity applicants and \$1,000 for “Access-Focused” entity applicants. Staff suggested a member of the board attend the Budget and Audit Committee meeting on May 19, 2025.

### **Board Members, Attendance and Participation**

- Ways to Increase Participation for Members, in Particular Public Members: The board discussed several strategies to increase participation and improve recruitment, especially among public members. Emphasizing clear communication of expectations and creating space for everyone to contribute were identified as key starting points. It was acknowledged that public members often need time to fully understand the board’s work, and efforts should be made to help them feel more engaged and useful. Members were encouraged to speak up, ask questions freely, and not worry about feeling uncertain. Facilitators should ensure all members are heard before moving to the next agenda item or voting on an item.
- The chair decided to use roll call voting—requiring each member to affirmatively vote "yes," "no," or "abstain"—to have a clear record of how people voted. A simple majority was noted as the standard for decision-making.

- Committees of the Board: The board formed a recruitment committee with members Michael Terasaki and Ellen Reed. The committee needs one additional member. The board also discussed the possibility of creating an entity regulation committee for review of applications by entities into the pilot project.
- Succession Planning: Bobby Henry recommended establishing a Vice Chair position to act as Chair during the Chair's absence. The board will decide later on the vice chair position and whether the vice chair should automatically succeed the Chair at the end of the term. The board also discussed recruiting alternates so if a member has to step down, an alternate can take their place. The alternates should consist of one licensed legal professional, and one member of the public.
- Volunteer Recruitment begins May 1, 2025, for FY2026: The board discussed strategies for broadening outreach to improve volunteer recruitment. Ideas included leveraging newsletters, such as those from the League of Women Voters, and possibly placing advertisements. Engaging students, law schools, and law clerks was also suggested as a way to expand the applicant pool. The use of Zoom was highlighted as a tool to increase geographic diversity among volunteers. The board considered whether recruitment efforts should target specific legal areas or roles that are currently underrepresented, such as prosecutors, consumer protection, labor and industries, family law, and immigration. The concept of aligning recruitment with risk-based governance principles was also introduced to help guide these efforts.
- To support volunteer involvement and make the application less onerous, the board decided to eliminate the board-created part of the application process and instead rely solely on the general WSBA application tools and process.
- Board Schedule for FY 2026: The board discussed alternative meeting schedules such as meeting every other month, having committee meeting in the interim to focus on their projects, and holding more meetings in person. No decisions were made at this time.

#### **Adjournment**

The meeting adjourned at 3:10 p.m.



## Committees of the Practice of Law Board - FY 2025

### Standing Committees

**Education Committee:** Research, develop, and implement effective methods to educate the public about how to receive competent legal assistance, including how to avoid bad actors or people who might be engaged in the unauthorized practice of law.

1. Michael Terasaki, **Chair**
2. Lesli Ashley
3. Melissa Kover
4. Aaron Vanderpol

**Entity Regulation Application Review Committee:** Review applications from entities for authorization to practice and make recommendations regarding authorization to participate in the pilot project to the full Board.  
(FY2026 Start Date)

1. TBD
2. TBD
3. TBD
4. TBD

**Recruitment Committee:** Review applications for board membership and make nomination recommendations to the full Board.

1. Michael Terasaki, **Chair?**
2. Ellen Reed
3. **Vacant**

**UPL Committee:** Make recommendations to the full Board for the process of reviewing complaints regarding the unauthorized practice of law. Liaise with WSBA staff, the Attorney General's office, prosecutors, and law enforcement to collect data regarding the unauthorized practice of law in Washington.

1. Michael Terasaki, Chair
2. Rory Hardy
3. **Vacant**

## **Application for Washington State Pilot Project for Entity Regulation**

### **Preamble**

Please read the [Washington State Pilot Project for Entity Regulation Participant Manual](#) prior to completing this application. As an applicant to a regulatory reform project, you are expected to fully disclose all information as requested in the application and to err on the side of transparency.

All information about the Washington State Pilot Project for Entity Regulation can be found on the [entity regulation page of the WSBA website](#).

### **Compliance Officer/Primary Contact**

Provide the name and contact information for the individual at the entity who will be the compliance officer and primary contact for this pilot project.

Compliance Officer Name

Title

Business Email Address

Business Phone Number

Business Mailing Address

Home Address

Home Phone Number

Home Email Address

Is this person licensed, admitted, or otherwise authorized to practice law in any jurisdiction?

[If yes] Jurisdiction

Date licensed/admitted/authorized

License number

+Add Another Jurisdiction

Provide the name and contact information for an individual to contact in the event the compliance officer is unavailable.

Secondary Contact Name

Title

Phone Number

Email Address

Mailing Address

Is this person licensed, admitted, or otherwise authorized to practice law in any jurisdiction?

[If yes] Jurisdiction

Date licensed/admitted/authorized

License number

### Entity Information

Provide the following primary or general information for your entity.

Entity Name

Email Address

Phone Number

Website URL

Business Address

Mailing Address (if different from primary contact mailing address)

Date entity formed

Federal Tax ID Number

Does your entity have any alternate names (i.e., a trade name or “doing business as” name)?

[If yes] List all alternate names of the entity (i.e., a trade name or “doing business as” name).

Business Name

+Add Another Name

What type of business structure is your entity?

- ☐ Sole Proprietorship
- ☐ LLC or PLLC
- ☐ LLP or other Partnership
- ☐ Corporation
- ☐ 501(c)(3)
- ☐ 501(c)(6)
- ☐ Incorporated Voluntary Organization, not a 501(c)
- ☐ Unincorporated Voluntary Organization, not a 501(c)
- ☐ Other: \_\_\_\_\_

Is your entity an umbrella or parent organization that will **not** provide the direct legal services?

[If yes] List the following for all subsidiaries providing the proposed legal services:

Subsidiary Name

Email Address

Phone Number

Website URL

Address

Mailing Address (if different from primary contact mailing address)

+Add Another Subsidiary

Provide a brief description of the general nature of your entity's business. Include both legal and non-legal services.

[text box]

### Entity Disclosures

Is your entity registered with the Washington Office of the Secretary of State?

[If yes] Upload entity formation documents, e.g., articles of incorporation, partnership agreement, etc. and most recent annual report.

Agent

[If no] Explain why not.

[text box]

Is your entity licensed or otherwise authorized to practice law or participating in a regulatory reform project in any other jurisdiction?

[If yes] Jurisdiction

Date licensed/authorized

Briefly describe the scope of the license, authorization, or participation.

[text box]

+Add Another Jurisdiction

List all states and countries in which your entity operates. Upload any entity formation documents, e.g., articles of incorporation, partnership agreement, etc. and most recent annual report.

Jurisdiction

How long has your entity been operating in this jurisdiction?

Does this jurisdiction require business licensing, certification, or registration?

[If yes] Name of licensing/certification/registration office

Address

Phone number

Website URL

+Add Another Jurisdiction

Describe how your entity will provide financial responsibility to make whole persons harmed by the entity's negligence or malpractice? E.g., professional liability insurance, errors and omissions insurance, audited financial net worth, etc.

[text box]

Are there any shareholder agreements, voting agreements or restrictions, or other agreements that restrict or affect decision making?

[If yes] Upload copies of all such agreements.

Is the entity using or intending to use sources of finance?

[If yes] Type of financing

Provider name

Amount of financing

Interest rate

+Add Another Finance Provider

Will your entity share premises, staff, or data with any other person or entity?

[If yes] Name of person or entity

Describe the nature and extent of the sharing arrangement.

[text box]

Is your entity or any affiliated entity (such as a parent company or subsidiary) currently subject to state or federal criminal investigation?

[If yes] Please describe in detail the nature of the investigation, parties involved, current status, etc.

[text box]

Is your entity or any affiliated entity (such as a parent company or subsidiary) currently subject to state or federal enforcement action?

[If yes] Please describe in detail the nature of the action, parties involved, current status, etc.

[text box]

Does your entity or any affiliated entity (including, but not limited to, any parent companies or subsidiaries) have any history of a state or federal criminal (misdemeanor or felony) conviction?



[If yes] Please describe in detail the nature of the conviction, parties involved, laws violated, penalties or sanctions imposed, etc.

[text box]

Does your entity or any affiliated entity (including, but not limited to, any parent companies or subsidiaries) have any history of state or federal enforcement action resulting in sanctions (disgorgement, civil penalties, injunction, and/or a consent decree)?

[If yes] Please describe in detail the nature of the action, parties involved, laws violated, penalties or sanctions imposed, etc.

[text box]

Does your entity or any affiliated entity (including, but not limited to, any parent companies or subsidiaries) have any history of filing for bankruptcy?

[If yes] Please describe in detail the nature of the action, parties involved, current status, etc.

[text box]

Has your entity or any affiliated entity been (currently or in the past) subject to investigation or enforcement by any legal regulatory body?

[If yes] Please describe in detail the nature of the action, parties involved, current status, etc.

[text box]

Does your entity or any affiliated entity plan to share or sell consumer data in any form to third parties?

[If yes] Please explain.

[text box]

### **Controlling and Financing Parties**

List all persons possessing the legal right to exercise decision-making authority on behalf of the entity. Examples may include: a sole proprietor of a sole proprietorship, a manager of a limited liability company, an officer of a corporation, a general partner of a general or limited partnership, or a person possessing comparable rights by operation of law or by agreement. ("Controlling Persons"). All Controlling Persons must complete and submit an Entity Regulation Pilot Project Character & Fitness Application.

Name

Title

Email Address

+Add Another Controlling Person

List all persons possessing an economic interest in the entity equal to or more than 10 percent of all economic interests in the entity. ("Financing Persons"). All Financing Persons must complete and submit an Entity Regulation Pilot Project Character & Fitness Application.

Name

Title

Email Address

+Add Another Financing Person

Will any lawyers or other licensed legal professionals provide legal services under your proposed service model?

[If yes] Name

Title

Jurisdiction where licensed

License No.

Describe this person's role in your proposed service model.

[text box]

+Add Another Licensed Legal Professional

Will any lawyers or other licensed legal professionals oversee software or individuals not licensed to practice under your proposed service model?

[If yes] Name

Title

Jurisdiction where licensed

License No.

Describe this person's role in your proposed service model.

[text box]

+Add Another Licensed Legal Professional

Will any lawyer or other licensed legal professionals operate in any other capacity under your proposed service model?

[If yes] Name

Title

Jurisdiction where licensed

License No.

Describe this person's role in your proposed service model.

[text box]

+Add Another Licensed Legal Professional

Do any persons who will be in a director, supervisor, monitoring, and/or managerial role over the direct provision of legal services to consumers have a felony criminal record showing a conviction (including guilty plea, nolo contendere, plea in abeyance, no contest, or receipt of a deferred adjudication)?

[If yes] Please describe in detail the nature of the conviction, parties involved, laws violated, penalties or sanctions imposed, etc.

[text box]

Has any person listed in your application been affiliated (i.e. employed or as a controlling or financing person) with any other entity that has applied to the Washington State Pilot Project for Entity Regulation?

[If yes] Name of Person Listed in Application

Entity Name

Describe the association

[text box]

Has any person not listed in your application but who will have material involvement with the proposed model or services been officially associated (i.e. employed or held a position of control/influence) with any other entity that has applied to the Washington State Pilot Project for Entity Regulation?

[If yes] Name of Person Listed in Application

Entity Name

Describe the association

[text box]

If you are unsure about any of your above answers or would like to include/disclose anything not captured by the above questions, please explain here:

[text box]

### **Data About Your Hypothesis for Regulatory Reform and Service Model**

Which regulatory rule(s) governing entities practicing law and, if applicable, other related rules are part of your hypothesis for regulatory reform?

☐ LLLT RPC 5.4(a)

☐ LLLT RPC 5.4(b)

- ☐ LLLT RPC 5.4(c)
- ☐ LLLT RPC 5.4(d)
- ☐ RPC 1.5
- ☐ RPC 5.4(a)
- ☐ RPC 5.4(b)

- ☐ RPC 5.4(c)
- ☐ RPC 5.4(d)
- ☐ RPC 5.5
- ☐ Other:

In which legal practice area(s) do you intend to provide services under your proposed service model?

- |   |   |
|---|---|
| <input type="checkbox"/> Business/Corporate/Commercial      | <input type="checkbox"/> Intellectual Property  |
| <input type="checkbox"/> Civil and Disability Rights        | <input type="checkbox"/> Landlord and Tenant    |
| <input type="checkbox"/> Consumer                           | <input type="checkbox"/> Municipal              |
| <input type="checkbox"/> Criminal Issues                    | <input type="checkbox"/> Native American/Tribal |
| <input type="checkbox"/> Expungement                        | <input type="checkbox"/> Personal Injury        |
| <input type="checkbox"/> Domestic/Intimate Partner Violence | <input type="checkbox"/> Public Benefits        |
| <input type="checkbox"/> Education                          | <input type="checkbox"/> Real Estate            |
| <input type="checkbox"/> Elder                              | <input type="checkbox"/> Taxes                  |
| <input type="checkbox"/> Employment and Unemployment        | <input type="checkbox"/> Traffic                |
| <input type="checkbox"/> Environmental and Land Use         | <input type="checkbox"/> Wills or Estates       |
| <input type="checkbox"/> Family and Marriage                | <input type="checkbox"/> Workplace Safety       |
| <input type="checkbox"/> Healthcare                         | <input type="checkbox"/> Other:                 |

Are there any secondary areas in which you may need to provide services to adequately provide the legal services under your proposed service model?

[If yes]

- |   |   |
|---|---|
| <input type="checkbox"/> Business/Corporate/Commercial      | <input type="checkbox"/> Intellectual Property  |
| <input type="checkbox"/> Civil and Disability Rights        | <input type="checkbox"/> Landlord and Tenant    |
| <input type="checkbox"/> Consumer                           | <input type="checkbox"/> Municipal              |
| <input type="checkbox"/> Criminal Issues                    | <input type="checkbox"/> Native American/Tribal |
| <input type="checkbox"/> Expungement                        | <input type="checkbox"/> Personal Injury        |
| <input type="checkbox"/> Domestic/Intimate Partner Violence | <input type="checkbox"/> Public Benefits        |
| <input type="checkbox"/> Education                          | <input type="checkbox"/> Real Estate            |
| <input type="checkbox"/> Elder                              | <input type="checkbox"/> Taxes                  |
| <input type="checkbox"/> Employment and Unemployment        | <input type="checkbox"/> Traffic                |
| <input type="checkbox"/> Environmental and Land Use         | <input type="checkbox"/> Wills or Estates       |
| <input type="checkbox"/> Family and Marriage                | <input type="checkbox"/> Workplace Safety       |
| <input type="checkbox"/> Healthcare                         | <input type="checkbox"/> Other:                 |

Which of the service models below most closely resembles the service model you are seeking to use?

- ☐ **Traditional law firms innovating** – bringing persons who are not licensed to practice (i.e., not lawyers and LLLTs) into firm ownership or using investment from persons not licensed to practice law to expand operations and reach or introduce new service delivery models.
- ☐ **Law-focused companies practicing law** – providing legal services by a company that is already delivering law-related services to the public and is owned by individuals not licensed to practice law.
- ☐ **Intermediary platforms** – connecting marketplaces of consumers with licensed legal professionals.
- ☐ **Non-law companies expanding into law** – new entrants in the legal market that combine law and non-law expertise, by, for example, providing a holistic “one-stop-shop” or new offshoot from their existing services.
- ☐ **New entities using persons not licensed to practice law to deliver legal services**—creating entirely new legal service delivery models with persons not licensed to practice law.
- ☐ **New entities using technology to deliver legal services**—creating entirely new legal service delivery models using software or other technology with or without involvement by persons licensed to practice law.
- ☐ **Other** – please describe.

[text box]

Who or what will provide the legal services under your proposed service model? *Check all that apply.*

- ☐ Lawyers
- ☐ Limited License Legal Technicians
- ☐ Limited Practice Officers
- ☐ Persons Not Licensed to Practice Law
- ☐ Software/Technology
- ☐ Other:

Who are your target consumers? *Check all that apply.*

- ☐ Families
- ☐ LGBT
- ☐ Low Income
- ☐ Moderate Income
- ☐ Professionals
- ☐ Seniors
- ☐ Young Persons
- ☐ Other:

How many full-time equivalent (“FTE”) employees will be involved in the proposed service model?

[text box]

**Proposed Regulatory Reform and Service Model**

Refer to the [Participant Manual](#) for guidance in responding to the below items.

### Regulatory Reform

State a specific hypothesis relating to reforming one or more regulatory rules governing entities practicing law and, if applicable, other related rules and describe what that reform will entail.

[text box]

Include a discussion of regulatory rules that are currently preventing or blocking your entity from providing legal services under your proposed business model. Identify how the proposed reform will allow you to operate, or better operate, your entity and provide the proposed legal services.

[text box]

### Proposed Service Model

Describe your proposed service model and what the services you provide under your proposed service model will do for consumers.

[text box]

Describe how the services will be provided to consumers under your proposed service model.

[text box]

Describe who will manage and how they will manage licensed legal professionals and other providers of legal services under your proposed service model.

[text box]

Describe how consumers will access or receive services under your proposed service model. Include a description of any particular consumer markets you intend to target and why.

[text box]

Describe the costs to the consumers for legal services under the proposed service model.

[text box]

### Accessibility of Legal Services

Describe your reform's impact on the accessibility of legal services in Washington and how you intend to measure that impact.

[text box]

Describe how your proposed service model will increase the accessibility of quality legal services for Washington consumers; specifically, how it will increase access to justice by enhancing access to affordable and reliable legal and law-related services.

[text box]

### Risk Assessment and Public Protection

Fully and candidly describe the risks consumers might face if they use your proposed service model. Include risks at the time of receiving the services and risks that might arise in the future.

[text box]

Include risks of harm associated with (1) inappropriate or otherwise flawed legal results, (2) failure to exercise legal rights through ignorance or bad advice, and (3) purchase of unnecessary or inappropriate legal services.

[text box]

Identify for each type of risk the likelihood of harm to the consumer: (1) very unlikely, (2) possible, or (3) almost certain; and the level of potential harm to the consumer: (1) negligible, (2) manageable, or (3) catastrophic.

[text box]

Describe the measures you propose to have in place for public protection. Include how you will identify, track, and mitigate the risks to the consumers under your proposed service model.

[text box]

Describe the consumer complaint resolution process you intend to have in place under your proposed service model.

[text box]

Describe your entity's policies and procedures for protecting client information and confidentiality.

[text box]

Describe your entity's policies and procedures for checking for conflicts of interests.

[text box]

Describe your entity's procedures and systems for ensuring confidentiality of client records.

[text box]

Describe your entity's policies and procedures to ensure no inducements are offered to clients or potential clients for choosing your entity's course other than for the best interest of the client.

[text box]

### **Certification**

On behalf of the entity named in this application and identified below:

- ☐ I understand and acknowledge that the Washington State Pilot Project for Entity Regulation is a pilot project and experiment. As such, policies and requirements are subject to change as more information is gathered.
- ☐ I understand and acknowledge that this application is public and may be disclosed under a public records request.

- ☐ I and the entity have reviewed Washington Supreme Court Order No. 25700-B-721 dated Dec. 5, 2024 and the *Washington State Pilot Project for Entity Regulation Participant Manual*.
- ☐ I acknowledge making false or materially misleading statements or omissions in this application is a basis for loss of authorization to participate in the pilot project for entity regulation and that other criminal and civil sanctions may also apply.
- ☐ I agree if answers to any of the application questions change, I, or my designee at the entity, is responsible for updating the information with the Washington State Bar Association (WSBA) and that failure to promptly update information might affect the entity's regulatory status.
- ☐ I consent to WSBA sharing my and my entity's contact information with approved researchers, whose projects are entirely independent of the work of the WSBA and the regulatory process so that the WSBA can facilitate impartial, independent studies of Washington's evidence-based regulatory experiment to promote legal services innovation and consumer protection.
- ☐ I consent to having the Washington State Bar Association (WSBA) and its agents conduct an investigation into the entity's character, professional reputation, and fitness for participation in the Washington Pilot Project for Entity Regulation. I agree to give any further information which may be required in reference to the past record of the entity.
- ☐ I authorize and request every person, firm, company, corporation, governmental agency, court, association, or institution having control of any documents, records, and other information pertaining to the entity to furnish to the WSBA any such information including documents, records, charges or complaints filed against the business, formal or informal, pending or closed, or any other pertinent data, and to permit the WSBA, or any of its agents or representatives to inspect and make copies of such documents, records, and other information.
- ☐ I release, discharge, and exonerate the WSBA, its agents and representatives, and any person furnishing information pursuant to this Authorization and Release from all liability which may arise from the investigation made by the WSBA and its agents.

By submitting this application, I certify under penalty of perjury under the laws of the State of Washington that the foregoing information is complete, true, and correct.

Name

Title

Entity

City where certifying

State where certifying

Date [system submit date]

### **Required Documents to Upload**

Authorization & Release



Memorandum for Regulatory Reform

WA Secretary of State registration and/or most recent annual report

Entity Formation Papers (articles of incorporation, partnership agreement, etc.) for all jurisdictions

Good standing certificate/letter for other jurisdictions (entity)

Good standing certificate/letter for other jurisdictions (people)

# MEMORANDUM

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TO: Practice of Law Board

FROM: Unauthorized Practice of Law Committee

DATE: May 8, 2025

RE: Proposed Revisions to POLB Handling of UPL Complaints

Dear Members of the Practice of Law Board,

The Unauthorized Practice of Law (UPL) Committee established during the April 30<sup>th</sup> retreat recommends the following updates to our current process for handling UPL complaints. These changes aim to streamline our procedures and increase consistency, while preserving the POLB's ability to stay informed on current UPL trends.

## **Proposed Process Changes for WSBA Staff Handling of UPL Complaints:**

### **1. Initial Review by WSBA Staff:**

WSBA staff will review each UPL complaint received to determine whether it meets the "not frivolous" standard of the July 8<sup>th</sup>, 2015, Supreme Court Order. This review will include checking whether (1) the respondent is licensed to practice law, (2) the complaint alleges the unauthorized practice of law, and (3) the complaint alleges harm to the public interest (any allegation of UPL necessarily harms the public interest).

### **2. Referral to Enforcement Authorities:**

If a complaint meets the "not frivolous" standard, staff will, as a matter of course, refer the complaint to the Attorney General's Office, the appropriate county prosecutor, and the local sheriff's office for further review and potential enforcement action.

### **3. Respondent Notification and Response Requests are Unnecessary:**

WSBA staff will no longer notify respondents or solicit responses to complaints. This change will greatly decrease the time between receipt of complaints and referral to an authority with investigative powers to take enforcement action, improving efficiency and effectiveness. Information will be updated on the WSBA and POLB websites and other published procedures for UPL complaints, so complainants understand the procedure. This aligns with the Board's non-enforcement, educational role and avoids unnecessary or potentially misleading engagement.

### **4. Ongoing Documentation, Board Awareness, and Oversight:**

WSBA staff will continue to log all complaints and referral actions into the existing summary spreadsheet, ensuring that the Board retains access to a comprehensive record of incoming matters and their disposition. At each POLB meeting, the Board will continue to review and debrief the UPL complaints received during the prior period. This ongoing review will help the Board remain informed about trends, concerns, and the nature of complaints statewide, to better carry out the other missions of the Board.

### **Proposal to Establish a Standing UPL Committee:**

In addition, the committee reached out to the Attorney General's Office to explore ways to improve the completeness and consistency of UPL-related data across the state. To continue supporting this effort, we recommend the formation of a standing UPL subcommittee dedicated to:

- Developing channels for regular data sharing (even if only anecdotal) with the AG's Office, law enforcement, prosecutors, Administrative Office of the Courts (AOC), and other relevant entities;
- Assessing gaps in current UPL data collection and reporting;
- Proposing strategies for more comprehensive tracking and understanding of UPL activity in Washington State.

We believe these changes will reinforce the Board's mission by promoting more efficient handling of UPL complaints, enhancing transparency and accountability, and deepening our understanding of UPL trends across jurisdictions.

Sincerely,

The UPL Committee Members (Michael and Rory)

ISSUE SUMMARY

TO: Practice of Law Board  
FROM: Bobby Henry, WSBA Staff Liaison to POLB  
DATE: May 16, 2025  
RE: **Board Member Recruitment Update**

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Background: GR 25 provides that the Practice of Law Board should have 13 members, with a minimum of five public members. Members serve for three-year terms and may serve up to two consecutive terms. Member terms align with the WSBA fiscal year which is October 1 – September 30. Ideally, terms should be staggered so that approximately one-third of the board changes over each year.

Board Roster: The board currently has two open positions. One position will be moved to the 2025-2028 term to even out the number of members cycling on/off each year. One position will be filled as a partial term in the 2023-2026 group. The three “groups” would then be as follows:

Group 1 2022-2025 / 2025-2028

- Ellen Reed – Public
- Craig Shank – LLP
- Drew Simshaw – LLP
- Vacant – LLP

Group 2 2023-2026

- Rory Hardy – LLP
- Ron Satterthwaite – LLP
- Michael Terasaki – LLP
- Vacant – Public

Group 3 2024-2027

- Lesli Ashley – LLP
- John Deweese – Public
- Murugeshwari Subramanian – Public
- Aaron Vanderpol – LLP
- Melissa Kover – Public

Recruitment: Volunteer applications are open through the month of May. Current members with first terms expiring at the end of this fiscal year (group 1) need to reapply if they want to serve a second term.



## PRESS, OUTREACH, & UPDATES:

May 21, 2025

| PRESS (PDF in BOX)              |   |
|---------------------------------|---|
| ❖                               | 2025-04-23 Law firms are facing new competition from accounting heavyweights  |
| ❖                               | 2025-04-25 Law firm owned by accountancy consolidator to become ABS   |
| ❖                               | 2025-05-11 Push by equity and Big Four into law sparks California backlash  |
| ❖                               | 2025-04-14 Letting private equity buy law firms may stifle service, mobility  |
| ENTITY REGULATION PILOT PROJECT |   |
| ❖                               | <i>will be used for stats and info about entity regulation after implementation, e.g., number of applications received, entities authorized, etc.</i>   |
| UPCOMING MEETINGS & EVENTS      |   |
| ❖                               | May 22, 2025, 10 a.m. IAALS Webinar #2: <a href="https://iaals.du.edu/ai-access-justice-upl-shaping-future-legal-services">https://iaals.du.edu/ai-access-justice-upl-shaping-future-legal-services</a> |
| ❖                               | June 5, 2025, 11 a.m. IAALS Webinar #3: <a href="https://iaals.du.edu/ai-access-justice-upl-shaping-future-legal-services">https://iaals.du.edu/ai-access-justice-upl-shaping-future-legal-services</a> |
| ❖                               | June 18, 2025, 1 p.m. Practice of Law Board meeting, Zoom   |
| ❖                               | July 18-19, 2025, WSBA Board of Governors Meeting, Walla Walla, WA/Zoom   |