

## **FAQ: WSBA Resident Agent of Service rule, effective 9/1/2017**

### **Q: Do I need to provide an agent of service to the WSBA?**

**A:** Under the new rule, any active, inactive, or emeritus lawyer, LLLT or LPO needs to provide an agent of service address if he/she answers “yes” to either of these two questions.

- Is your primary mailing address outside of Washington State?
- Is your primary mailing address a PO Box or PMB, with no physical street address in Washington?

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### **Q: Can I keep my PO Box as my primary mailing address?**

**A:** Yes, but if you do not also have a physical street address in Washington listed with your PO Box, you will need to provide an agent of service address in addition to your primary mailing address.

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### **Q: Who can be my agent of service?**

**A:** Anyone at any physical street address in Washington State who is willing to accept service on your behalf. Among the options are another branch of your firm, another attorney, a registered agent of service company, a friend, family member, or *even yourself* (if you wish to maintain a PO Box in WA as your primary public mailing address and you are willing to list another physical street address in Washington for yourself, to be made available to others upon request).

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### **Q: What’s a valid agent of service address?**

**A:** Any physical address in Washington State. A PO Box or PMB is *not* acceptable.

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### **Q: Will the agent of service address I provide be public information?**

**A:** Yes. We will not publish the information on our web page or directory, but it will be made available to anyone who requests it.

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### **Q: I work in a large building or government office, and my primary mailing address contains both a PO Box (or PMB) and a physical mailing address in Washington. What do I do?**

**A:** You do not need to have a resident agent.

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### **Q: Can I use my Washington home address as an agent of service address?**

**A:** Yes, if it is a physical street address, but understand that your home address would then become information that would be made available to anyone who requests it.

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**Q: Can I add an agent of service online through myWSBA or tell you the address of my agent of service over the phone or in an e-mail?**

**A:** No. We require that you attest to the information with your signature on the form. The completed form itself may be returned to the WSBA as either a hard copy or an electronic file (pdf, etc). The ability to add or edit an agent of service address online will be available when licensing opens in November.

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**Q: Can I change my primary mailing address to a physical street address in Washington instead of providing an agent?**

**A:** Yes. Such a change would render a registered agent address unnecessary.

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**Q: What's the new rule?**

**A: Washington Supreme Court Admission and Practice Rule 13(f):**

**APR 13(f) Resident Agent.** If the address of record required under this rule is not in the state of Washington or is not a physical street address, the lawyer, LLLT or LPO shall file with the Bar the name and address of an agent within this state for the purpose of receiving service of process or of any other document required or permitted by statute or court rule to be served or delivered to a resident lawyer, LLLT or LPO. Service or delivery to such agent shall be deemed service upon or delivery to the lawyer, LLLT or LPO. The name and address of the resident agent shall be a public record. If the address or name of the resident agent changes, the lawyer, LLLT or LPO shall notify the Bar of the change within 10 days after the change. Judicial and honorary members of the Bar are exempt from the requirements of this section.

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**Q: Ten days? Do I need to provide an agent of service immediately?**

**A:** Lawyers who renew their licenses online through myWSBA can wait until the 2018 licensing season and add an agent of service at that time. You should use the attached form now if you don't renew your license online.

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