

OREGON LAW PRACTICE MANAGEMENT

Washington Approves Limited Licensed Legal Technicians

While I understand the premise behind this [Order](#) (expanding access to justice, addressing gaps in service to low-income/modest means/pro se litigants), I am still surprised.

[New APR 28 – Limited Practice Rule for Limited License Legal Technicians](#) (LLTs) goes into effect September 1, 2012. It draws a distinction between LLTs and paralegals or legal assistants “who are employed or retained by a lawyer, law office, corporation, governmental agency, or other entity.” LLTs will be licensed by a Limited License Legal Technicians Board, must be 18 years of age or older, of good moral character, possess specified educational credentials, and complete 20 hours of pro bono service.

Limited License Legal Technicians (LLTs) are defined as:

” ... 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 this rule and related regulations. The legal technician does not represent the client in court proceedings or negotiations, but provides limited legal assistance as set forth in this rule to a pro se client.”

The LLT “scope of practice” encompasses the following:

1. Obtain relevant facts, and explain the relevancy of such information to the client;
2. Inform the client of applicable procedures, including deadlines, documents which must be filed, and the anticipated course of the legal proceeding;
3. Inform the client of applicable procedures for proper service of process and filing of legal documents;
4. Provide the client with self-help materials prepared by a Washington lawyer or approved by the Board, which contain information about relevant legal requirements, case law basis for the client’s claim, and venue and jurisdiction requirements;
5. Review documents or exhibits that the client has received from the opposing side, and explain them to the client;
6. Select and complete 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 Board; and advise the client of the significance of the selected forms to the client’s case;
7. Perform legal research and draft legal letters and pleadings documents beyond what is permitted in the previous paragraph, if the work is reviewed and approved by a Washington lawyer;
8. Advise a client as to other documents that may be necessary to the client’s case (such as exhibits, witness declarations, or party declarations) , and explain how such additional documents or pleadings may affect the client’s case;
9. Assist the client in obtaining necessary documents, such as birth, death, or marriage certificates.

What is your opinion of the [new rule](#)? Do you think Oregon lawyers will use [LLT licensure](#) to “practice” in Washington (avoiding the necessity of reciprocal admission) or do you believe only non-lawyers will offer LLT services? Will Oregon follow suit? How will [APR 28](#) affect lawyers interested in [unbundling legal services](#)?

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