

MY LEGAL PIT STOP

LEGAL TECHNICIANS

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February 1, 2019

Clerk of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Jeanne McElroy, Chief Regulatory Counsel
Washington State Bar Association
1325 Fourth Avenue, Suite
Seattle, WA 98101-2539

Stephen R. Crossland
Chair of the LLLT Board
P.O. Box 566
Cashmere, WA 98815

re: Comments regarding proposed APR 28 Amendments

Dear Chief Justice Fairhurst,

Thank you for inviting comments on this important topic.

We are a start-up Legal Technician firm that had the privilege of serving more than 200 clients in Washington State in 2018 under APR 28. In fact, when we shared the call for comments with our clients, we heard more than 60 people express an interest in offering their own comments in support of this important movement. We are proud to be joining them in sharing our shared experiences.

Our core comment is well summarized by describing our sense of collective

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gratitude that the **GR 9 Coversheet submitted by the LLLT Board speaks for us well.** As such, in an effort to underscore our strong agreement with the proposed amendments as written, we have decided to offer our comments from the perspective of how much more we could have helped unrepresented Washington residents in acting *pro se* in family law court, had the proposed amendments been implemented earlier.

Based on our practical experience, we agree with the proposed amendments in *this order of priority*:

1. **Enabling opposing party communications & negotiations.** The current prohibitions on negotiating and even communicating with opposing parties and their counsel posed severe limitations on our clients' outcomes as well as our business in 2018. We passionately agree with shifting the rules to support helping people solve disputes outside of the court system and believe doing so benefits the courts as well.
2. **Making ex parte appearances.** It would have saved an enormous amount of frustration, time and effort for us and our clients had we been allowed to present agreed orders and defaults ex parte.
3. **Appearing with (rather than for) clients in court** and other formal proceedings. Expressly enabling LLLTs to provide assistance that stops short of assisting a client through to getting an order in court borders on cruel. This was especially true when the *pro se* is opposed by a skilled,

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- perhaps ruthless, attorney in court. We were not surprised when this was the top theme to emerge in the comments we saw our clients submit.
4. **Dividing real property assets**, up to a defined equity limit. As we sent more than 60 cases to attorneys in 2018 because of the client's status as a home owner in 2018, we are delighted to see this proposed amendment.
 5. **Assisting with contested relocations**. While we turned away more than a dozen cases that fell into this category in 2018, we also see few areas in family law that are more vulnerable to socioeconomically driven injustices than a when a person is served with an Intent to Relocate that would effectively destroy a hard-won final parenting plan simply because they lack the funding to secure counsel. We hope to see LLLTs trained to use the recent relevant case law to provide effective assistance in those cases as soon as possible.
 6. **Dividing retirement assets**, up to certain limits. As more than half of our clients in 2018 had retirement assets to be characterized, we deeply appreciate the proposed amendments in this area.
 7. **Appearing at Mediation**. As pro se litigants get to choose to have anyone accompany them to this unregulated proceeding anyway, it would appear to be very much in both the public interest as well as that of the court, to enable LLLTs to support ADR as much as possible.

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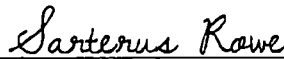
Lastly, while we appreciate this call for comments is specific to currently proposed amendments, we ask to plant these seeds for the next round of subsequent amendments:

1. **Remove the prohibitions preventing LLLTs from leveraging support staff.** We'd ask instead that LLLTs be held accountable for the performances of their organizations as licensed professionals, just like lawyers are.
2. **Position LLLTs to serve as mediators** who are trained and authorized to write effective, binding CR 2 (a) agreements that they can enter with the court as agreed orders.

Sincerely,



Alicia DeGon, LLLT #131



Sart Rowe, WSBA# 47010

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Friday, February 1, 2019 4:59 PM
To: Tracy, Mary
Subject: FW: APR 28 Comments from My Legal Pit Stop Legal Technicians
Attachments: MLPS_APR_28_Comments_SIGNED.pdf

From: alicia@mylegalpitstop.com [mailto:alicia@mylegalpitstop.com]
Sent: Friday, February 1, 2019 4:59 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; steve@crosslandlaw.net; jeanm@wsba.org
Cc: 'Sart Rowe' <sart@mylegalpitstop.com>; emily@mylegalpitstop.com
Subject: APR 28 Comments from My Legal Pit Stop Legal Technicians

Dear Clerk of the Court, Mr. Crossland, and Mr./Ms. McElroy,

Thank you for inviting comments on the pending APR 28 amendments.

Please see the attached letter.

Thank you,

Alicia DeGon, WSBA LLLT #131
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Limited License Legal Technicians (LLLT), are experienced legal professionals, trained and licensed to advise and assist individuals in family-law matters defined by APR 28 in the State of Washington. LLLTs are not attorneys, and at this time, we don't represent people in court.

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