

January 30, 2019

Clerk of the Supreme Court
PO Box 40929
Olympia, WA 98504-0929

RE: June 2018 Proposed Rules Published for Comment
RPC 1.0B, 1.17, 4.3, 5.8, 8.1
APR 28 and APR 28 Appendix
LLLT RPCs

Dear Supreme Court Justices:

We, the undersigned, hereby submit this letter to support the proposed changes to the rules mentioned above (hereafter “LLLT rule changes”). We do so on behalf of the University of Washington School of Law, which has developed and taught the LLLT Family Law curriculum for the last five years, and on behalf of ourselves, two members of the Family Law advisory committee that spent 18 months developing these rule changes.

The Limited License Legal Technician program has been a grand and successful experiment in Washington State. Contrary to the fears that it would somehow topple the provision of family law services to clients, it has in fact provided more competent providers than the typical law school curriculum can provide, where students may take one or two courses in family law, but not nearly at the level of detail that a practitioner would need. The LLLT students take 3 courses solely on family law practice. Our students have been extremely engaged and somewhere between 35 and 40 are now licensed.

The issue that the LLLT rule changes seeks to address is to re-balance some of the initial trade-offs when the program was first created. In order to balance the authority given to LLLTs and the supervision by attorneys, the rules were initially drawn narrowly. We have learned over these five years that the rules are actually too narrow, that they do not allow for the LLLTs to develop a full breadth of the family law practice, and hence, will not lead to a sustainable business model. The LLLT rule changes will allow for expanded authority by the practitioners but still within very defined limits. They will, appropriately, allow for the LLLTs to handle the fullness of their clients’ matters.

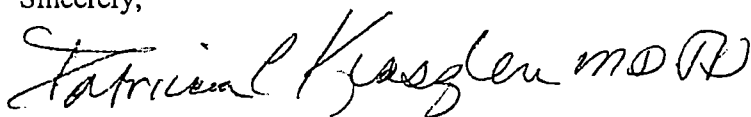
As you may be aware, the Legislature this year passed and the Governor signed SB 5213, which will permit the court to order respondents to pay LLLTs fees in domestic violence cases. What is notable about this bill is that there was no negative testimony. That the bill sailed

through with no amendments and no controversy demonstrates how LLLTs have become integral and accepted in the family law practice field.

We have seen over these five years that the program is working, the training is working, and most importantly, the civil legal needs of the clients are getting met. The LLLT rule changes will make some well considered changes to the scope of practice. We encourage the Court to adopt these changes.

Please feel free to contact us if we can answer any questions or provide additional information.

Sincerely,

A handwritten signature in cursive script, reading "Patricia Kuszler MD RD".

Professor Patricia Kuszler
Charles I. Stone Professor of Law

A handwritten signature in cursive script, reading "Terry J. Price".

Terry J. Price
Director, LLLT Education

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Wednesday, January 30, 2019 10:20 AM
To: Tracy, Mary
Subject: FW: Proposed APR 28 changes
Attachments: Kuszler Price letter re APR 28 Proposed Changes.pdf

More ☺

From: Terry J. Price [mailto:tprice@uw.edu]
Sent: Wednesday, January 30, 2019 10:17 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed APR 28 changes

Attached please find our letter regarding proposed APR 28 changes. Please let me know if you have difficulty with the attachment. Thanks! Terry Price

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