

ANDREA S. JARMON

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Washington State Supreme Court
P.O. BOX 40929
Olympia, Washington 98504

Submitted via email: supreme@courts.wa.gov

RE : APR 28 Limited License Legal Technician

Dear Clerk of the Supreme Court:

Please accept this letter of comment in support of the Limited License Legal Technician (LLLT) program. I join the voices of others humbly urging that the Court reconsider its decision to sunset the program.

I support this program as a member of the public. Almost twenty years ago, I was a pro se litigant trying to secure a parenting plan with protective provisions after leaving an abusive relationship. As if it were yesterday, I can vividly recall my experiences attempting to navigate the court system. Like the experiences of many pro se litigants, I was lost, confused by both the forms and process. I lacked the financial resources to hire counsel. When I did have the opportunity to hire counsel, because it was expensive and I was limited in the amount that I could pay, the representation was just for the hearing itself. I scrambled to figure out pleadings, deadlines, rules for service or process. All of that was an additional layer of trauma in an already stressful situation.

There are so many stories similar to mine. Yet, I need not share them. This Court is well aware of the uncontroverted reality of the lack of access to justice. This Court is well aware of the uncontroverted reality of the financial impediment most household's face when seeking legal representation for civil matters.

I support this program as a former family law practitioner. Family law attorneys are expensive. And let's be clear—there is no evidence that fees are decreasing even as the need for services rise. In my former practice, like that of many others, I attempted to unbundle legal services; provided extensive amounts of pro bono and low bono hours to clients; and volunteered in legal clinics. The WSBA Pro Bono Honor Roll documents the names of many wonderful members of the legal profession who engage in pro bono work each year. But even with such, the need continues to be great; the need continues to be unmet.

While there are many voices on this issue, the voices of the people suffering are the ones that matter most. The voices from the family law bar who were not supportive of this program cannot be the measure by which the validity of this program is determined. One, the clients served by LLLTs are clients who could not afford the services of a lawyer. Two, surely there must be recognition of the irony of an elite group dedicating the measure and means by which people they will not serve can obtain the services of someone else.

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The paternalist suggestion that those who do not support the program are protecting the public from unqualified providers is also problematic. As the suggestion that LLLT's were unqualified is simply inaccurate. The program requirements themselves demonstrate the vigorous nature of the qualification and licensing process. Indeed, in many ways, LLLTs were more prepared than lawyers, as beyond theory, they were required to have demonstrated application skills with an examination that tested such. As a former paralegal instructor for core courses required for the LLLT program, I can speak first hand to the vigorous nature of the work and the assignments.

This Court, with all due respect, moved hastily in sunseting this program. The information it relied upon was inaccurate, at best and incomplete at worse. Eliminating a program without allowing for any empirical data as to its efficacy was a disservice to the members of the public. And it was unfair to the LLLT program participants.

Unfortunately, in the last few years, when the composition of the Board of Governors at the Washington State Bar Association changed, so too, did the value system. Diversity training was initially limited and then ceased. An amendment to add public members that had been approved by this Court, was halted and then reversed. During the same, the LLLT program came under increasing attack and was not supported. The diminishing support of the LLLT program was not reflective of the program's success; it was reflective of the value change.

The Court was led to believe that the LLLT program lacked any extensive support by lawyers and judicial members. Yet, this program is supported by lawyer members, judicial members, and members of the public. Perhaps, more importantly though, the LLLT program was a courageous, innovative program that weighed not only the views of attorney members, but the critical needs of the public. It may have initially been unpopular, but so too have many other means and changes that push open the doors of opportunity and equality and access.

This Court was led to believe that the LLLT program was being heavily subsidized by lawyer members. Yet, recent information presented indicates that the cost of this program was less than one percent of the entire WSBA budget, totaling about \$200,000 per year.

Yet, juxtapose that number to the 2015 Civil Legal Need Study that found more than 70% of low-income households experience a serious civil legal problem and 76% of those households face those legal issues alone. Alone. The LLLT program provided one means of access. Now, in its absence, those 70% of households are left to continue to languish in the periphery of a singular legal services delivery model that will not serve them, but seeks to dictate the means by which they can be served.

The LLLT was never presented as the absolute singular solution. It was one effort to attempt to begin to address the incredible need. There needed to be an alternative path for accessing and delivering legal services. It was not perfect. There are some changes and adjustments that can and should be made to the program. I believe that LLLT Board would invite this process of reflection and reconstruction. However, the program should continue to exist while this occurs.

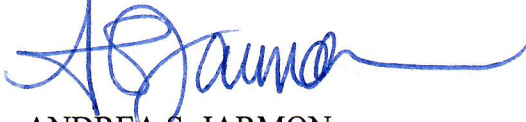
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Recently, this Court made a bold statement about systemic injustice. You cannot, in one breath, issue a call to action to the legal community to look at systematic injustice, and then, in the same breath, cut the air and life from a program that was aimed at increasing access to justice. I humbly urge the Court to reconsider its decision to sunset the LLLT program.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "A. Jarmon", with a long horizontal flourish extending to the right.

ANDREA S. JARMON

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: APR 28-LIMITED LICENSE LEGAL TECHNICIAN COMMENTS
Date: Monday, May 3, 2021 8:18:58 AM
Attachments: [LTR-CLERK-APR 28.pdf](#)

From: Andrea Jarmon [mailto:andrea@jarmonlawgroup.com]
Sent: Friday, April 30, 2021 11:43 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: APR 28-LIMITED LICENSE LEGAL TECHNICIAN COMMENTS

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Dear Clerk of the Supreme Court:

Attached, please find a letter of comment for submission to the Court in regards to APR 28.

Thank you.

Andrea Jarmon