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**Subject:** FW: Sunset of the LLLT License  
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**From:** marya@genesislawfirm.com [mailto:marya@genesislawfirm.com]  
**Sent:** Friday, April 30, 2021 3:29 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Sunset of the LLLT License

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Dear Honorable Justices:

My name is Marya C Noyes. I was given the honor of being admitted as LLLT #123 on June 1, 2017. I am writing to request that you reverse your decision to sunset the LLLT license. Before I begin my reasoning, I think it may be important to note that in addition to the education required for the LLLT license, I also hold a bachelor's degree from Mills College in Oakland, California. I graduated as double major in business economics and environmental science. In June of 2019, I graduated with my MBA from Seattle University. I am only assailing you with all my academic credentials because of their direct relation to my plea that you revise your decision.

At present, I am sure you have heard hundreds of appeals upon your humanity that continuation of the LLLT program creates access to justice otherwise absent in our legal system. I can personally corroborate this claim. I work at Genesis Law in Everett, Washington. I can tell you that as a LLLT in a law firm, I help dozens of people that would otherwise go without legal assistance. Like many other LLLTs, I have tons of heartbreaking stories of pro se litigants attempting to stumble through a legal system not built for their use. Moms that wonder what they can possibly do when their husband has left them with the children and have taken all the community money. Under the current system, this person is expected to educate themselves on applicable law, negotiate the court system and effectively battle a represented party. All with inadequate childcare. Frankly, the proposition is absurd.

It may be very difficult to understand the urgency and desperation these people experience if this has not been your life. To those not on the front line, it may be easy to spend endless amounts of time contemplating how a different or a better program would protect those at risk. I can tell you from my experience, those in need do not have the luxury of that time. If the Court has concerns, then why not revise the existing program? Certainly, that would be a better use of public resources than cancelling one that took hundreds of hours to create in favor of one that does not exist.

I have heard legal practitioner's state for the "integrity of profession" the LLLT license must be sunsetted. In fact, they were never a fan of "half-attorneys practicing law" in the first place. In response, may I draw your attention to extraordinary justice gap in our state put forth in blinding

clarity by the Civil Needs Studies conducted by the Washington Supreme Court in 2003 and 2015? I will not take this opportunity to reiterate the numbers contained in those studies because they were done by this very Court. I think I can safely assume you are familiar with them. May I also draw your attention to section 6 of the Rules of Professional Conduct, which states *inter alia* that,

A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel. A lawyer should aid the legal profession in pursuing these objectives and should help the bar regulate itself in the public interest.

If this section of the rules of professional conduct exists at the same time as the extraordinary justice gap, it begs the question of the definition of professional “integrity.” No?

### **Monopoly Power / Monopoly Problems**

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The practice of law is one of the only monopolies allowed to practice self-policing. I posit this very allowance has led directly to the creation of the justice gap. As you are aware, society generally has rules against industry monopolies. We have these rules because monopolies are generally bad for society. I mercifully won’t take you through all the economic reasoning behind this conclusion. However, I will tell you that constriction of the marketplace from the point wherein supply and demand normally meet typically leads to market inefficiency.

Monopolies, as a rule, tend to reduce supply of a good or service which inevitably leads to higher prices. The higher price and lower supply of the product results in unmet consumer demand. The monopolist abandons those consumers willing to buy the product at the lower equilibrium price and denies participation to those sellers willing to produce the product at a lower price. The result of this market inefficiency **shrinks the entire market** for the product. The measurement of the total loss to both potential buyers and sellers is equivalent to the market’s “Deadweight loss.”

The “Justice Gap,” represents the substantive divide between those in need of legal services and the percentage of the population able to afford them. I posit that a large portion of those individuals currently unable to afford legal services are a measurement of Deadweight Loss of the legal marketplace. Yes - that means I am stating that there are consumers willing to purchase legal services at the less than going rate.

If the economic model is reflective of the marketplace for legal services, it means that these consumers are **in addition** to the consumers already purchasing legal services at the current rate. This, of course, means that the legal marketplace is actually **much larger** than the limited portion of the population currently being served by it. In other words, through a business lens the Justice Gap can viewed as unmet consumer demand or an extraordinary business opportunity.

If legal services were like any other industry (airlines, insurance, cell phones) businesses would be practicing something called price discrimination to capture the extraordinary amount of unmet demand. For example: cell phone companies have premium brands and discount brands of the same product in order capture the entire marketplace. Not so in legal services. For the most part, litigants have the option of the full representation model or attempting to connect with someone on the CLEAR hotline. It just makes no sense. I can only attribute this situation to the lack of economic and business classes taught in law school.

If my law firm did not have a LLLT, the clients that use my services would leave the firm with their problem and their money. They are not completely destitute; they simply don't have enough money to afford a traditional attorney. LLLTs and attorneys are absolute symbiotic relationship. My presence at this firm assists both the clients and my law firm. It truly is a win-win scenario. If my client has a problem out of my scope, or they need someone to speak for them at a hearing, I walk down to the hall to consult with one the firm's attorneys. My presence at this firm creates a pricing flexibility for the client that would not otherwise be available if I was not here. Let me reiterate, my presence brings in **more money** to the firm, **not less**.

All that being said, I cannot possibly help everyone. I do more billable hours than any attorney at my law firm and I am rarely able to take on additional clients because I am so overwhelmed. I can rarely refer out to my fellow LLLTs because they are also overwhelmed. I have turned away 13 people this week because I don't have the capacity to help them. We need more LLLTs, not less. Lots more.

People need help. That point is irrefutable. Not everyone can afford a traditional attorney. That point is also irrefutable. The presence of LLLTs in the marketplace lifts the burden off pro bono services that were developed to assist the least fortunate among us. There is a business solution to this problem. Please allow it to work. Please rescind your decision to sunset the LLLT License.

Warm Regards,

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**Legal Technicians**, also known as Limited License Legal Technicians (LLLT), are trained and licensed to advise and assist people going through divorce, child custody and other family-law matters in Washington.

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