**APR 8**

**NONMEMBER LAWYER LICENSES TO PRACTICE LAW**

**(a)** [Unchanged.]

**(b) Exception for Particular Action or Proceed­ing.** A lawyer member in good standing of, and permitted to practice law in, the bar of any other state or territory of the United States or of the District of Columbia, or a lawyer who is providing legal services for no fee through a qualified legal services provider pursuant to rule 8(f), may appear as a lawyer in any action or proceeding only

(i) [Unchanged.]

(ii) in association with an active lawyer member of the Bar, who shall be the lawyer of record therein, responsible for the conduct thereof, and present at proceedings unless excused by the court or tribunal. The requirement in (ii) is waived for a lawyer who is a full-time active duty mili­tary officer serving in the office of a Staff Judge Advocate of the United States Army, Air Force, Navy, Marines, or Coast Guard, or a Region Legal Service Office or a Defense Ser­vice Office, or as Special Victims’ Counsel or Victims’ Legal Counsel for any branch of the United States Armed Forces, located in the State of Washington.

(1)-(4) [Unchanged.]

(5) No member of the Bar shall lend his or her their name for the purpose of, or in any way assist in, avoiding the ef­fect of this rule.

(6) [Unchanged.]

**(c)-(g)** [Unchanged.]

**APR 9**

**LICENSED LEGAL INTERNS**

**(a)-(e)** [Unchanged.]

**(f) Additional Obligations of Supervising Lawyer.** Agreeing to serve as the supervising lawyer for a Licensed Legal Intern imposes certain additional obligations on the supervising lawyer. The failure of a supervising lawyer to comply with the duties set forth in this rule shall be grounds for disciplinary action pursuant to the Rules for Enforce­ment of Lawyer Conduct. In addition to the duties stated or implied above, the supervising lawyer:

(1)-(6) [Unchanged.]

(7) must meet with any Licensed Legal Intern he/she is they are supervising, in person or by telephone, a minimum of one time per week, to review cases being handled and to provide feedback on performance, to provide additional guidance and instruction, and to answer questions or issues raised by the Licensed Legal Intern;

(8)-(10) [Unchanged.]

**(g)** [Unchanged.]

**(h) Term of Limited License.** A limited license issued pursuant to this rule shall be valid, unless it is revoked or supervision is terminated, for a period of not more than 30 consecutive months, and in no case will it be valid if it has been more than 18 months since the Licensed Legal Intern graduated from law school or completed the APR 6 Law Clerk program.

(1)-(2) [Unchanged.]

(3) A Licensed Legal Intern must immediately cease per­forming any services under this rule and must cease hold­ing himself or herself themself out as a Licensed Legal In­tern upon:

(A)-(E) [Unchanged.]

**APR 12**

**LIMITED PRACTICE RULE FOR LIMITED PRACTICE OFFICERS**

**(a)-(e)** [Unchanged.]

**(f) Continuing License Requirements.**

(1) [Unchanged.]

(2) *Financial Responsibility.* Each active limited practice officer shall submit to the LP Board proof of ability to re­spond in damages resulting from his or her their acts or omissions in the performance of services permitted under APR 12 in one of the following described manners.

A.-E. [Unchanged.]

(3)*-*(4) [Unchanged.]

**(g) Existing Law Unchanged.** This rule shall in no way expand, narrow, or affect existing law in the following areas:

(1) The fiduciary relationship between a limited practice officer and his or her their customers or clients;

(2)-(5) [Unchanged.]

**(h)-(*l*)** [Unchanged.]

Comment

[1]-[2] [Unchanged.]

**APR 14**

**LIMITED PRACTICE RULE FOR FOREIGN LAW CONSULTANTS**

**(a)-(b)** [Unchanged.]

**(c) Procedure.** The Bar shall approve or disapprove ap­plications for admission of Foreign Law Consultants licens­es. Additional proof of any facts stated in the application may be required by the Bar. In the event of the failure or refusal of the applicant to furnish any information or proof, or to answer any inquiry of the Board pertinent to the pend­ing application, the Bar may deny the application. Upon ap­proval of the application by the Bar, the Bar shall recom­mend to the Supreme Court that the applicant be granted a license for the purposes herein stated. The Supreme Court may enter an order licensing to practice those applicants it deems qualified, conditioned upon such applicant’s:

(1)-(2) [Unchanged.]

(3) Filing with the Bar in writing his or her their address in the State of Washington, or the name and address of his or her their registered agent as provided in APR 13, togeth­er with a statement that the applicant has read the Rules of Professional Conduct and Rules for Enforcement of Lawyer Conduct, is familiar with their contents, and agrees to abide by them.

**(d) Scope of Practice.** A Foreign Law Consultant shall be authorized to engage in the limited practice of law only as authorized by the provisions of this rule. A Foreign Law Consultant may not:

(1)-(5) [Unchanged.]

(6) In any way hold himself or herself themself out as a member of the Bar of the State of Washington; or

(7) [Unchanged.]

**(e)** [Unchanged.]

**(f) Continuing Requirements.**

(1) [Unchanged.]

(2) *Report.* A Foreign Law Consultant shall promptly re­port to the Bar any change in his or her their status in any jurisdiction where he or she is they are admitted to practice law.

**(g)** [Unchanged.]

**(h) Reciprocity.** A Foreign Law Consultant applicant shall demonstrate that the country or jurisdiction from which he or she applies they apply does not impose, by any law, rule, or regulation, any requirements, limitations, re­strictions, or conditions upon the admission of members of the Bar as Foreign Law Consultants in that foreign country or jurisdiction which that are significantly more limiting or restrictive than the requirements of this rule. The Supreme Court may deny a license to a Foreign Law Consultant ap­plicant upon that basis, or may impose similar limitations, restrictions, or conditions upon foreign legal consultant ap­plicants from that foreign country or jurisdiction.

**APR 15**

**CLIENT PROTECTION FUND**

**(a)-(d)** [Unchanged.]

**(e) Restitution.** A lawyer, LLLT, or LPO whose conduct results in payment to an applicant shall be liable to the Fund for restitution.

(1)-(4) [Unchanged.]

(5) Bar counsel assigned to the Client Protection Board may, in his or her the bar counsel’s sole discretion, enter into an agreement with a lawyer, LLLT, or LPO for a reasonable periodic payment plan if the lawyer, LLLT, or LPO demon­strates in writing the present inability to pay assessed costs and expenses.

(A)-(B) [Unchanged.]

(6) [Unchanged.]

**(f)-(i)** [Unchanged.]

**CLIENT PROTECTION FUND (APR 15) PROCEDURAL REGULATIONS**

**Regulations 1.- 5.** [Unchanged.]

**Regulation 6. Procedures**

**(a)-(b)** [Unchanged.]

**(c) Notification of lawyer, LLLT, or LPO.** The lawyer, LLLT, or LPO, or his or her their representative, regarding whom an application is made shall be notified of the ap­plication and provided a copy of it, and shall be requested to respond within 20 days. If the lawyer’s, LLLT’s, or LPO’s address of record on file with the Bar is not current, then a copy of the application should be sent to the lawyer, LLLT, or LPO at any other address on file with the Bar. A copy of these Rules and Regulations shall be provided to the law­yer, LLLT, or LPO or representative.

**(d)-(k)** [Unchanged.]

**Regulations 7.-15.** [Unchanged.]

**APR 19**

**LAWYER, LLLT, AND LPO SERVICES**

**(a)-(d)** [Unchanged.]

**(e) Professional Responsibility Program.**

(1)-(3) [Unchanged.]

(4) *Scope*. An inquirer may request the guidance of pro­fessional responsibility counsel in identifying, interpreting, or applying the Rules of Professional Conduct as they re­late to his or her their prospective ethical conduct. If the inquiry presents a set of facts, those facts should ordinarily be presented in hypothetical format. Professional responsi­bility counsel provides only informal guidance. Professional responsibility counsel provides no legal advice or opinions, and the inquirer is responsible for making his or her their own decision about the ethical issue presented. The inquiry shall be declined if it (i) requires analysis or resolution of legal issues other than those arising under the Rules of Pro­fessional Conduct,; (ii) seeks an opinion about the ethical conduct of a person other than the inquirer,; or (iii) seeks an opinion about the ethical propriety of the inquirer’s past conduct.

(5)-(7) [Unchanged.]

**(f)** [Unchanged.]

**APR 22.1**

**REVIEW OF APPLICATIONS**

**(a)-(b)** [Unchanged.]

**(c) Review By Bar Counsel.** Upon receiving a refer­ral from Bar admissions staff, Bar Counsel may conduct such further investigation as he or she deems they deem necessary. Bar counsel may issue subpoenas to compel at­tendance of an applicant or witness, or the production of books, documents, or other evidence, at a deposition or hear­ing. Subpoenas shall be served in the same manner as in civil cases in the superior court. Any investigation or in­quiry into a health diagnosis, alcohol or drug dependence, or treatment for either must comply with subsections (e) and (f) of this Rule.

**(d)-(f)** [Unchanged.]

**APR 23**

**CHARACTER AND FITNESS BOARD**

**(a)-(c)** [Unchanged.]

**(d) Vacancies.** Vacancies in lawyer membership on the Character and Fitness Board and in the office of the chair and vice-chair shall be filled by the Board of Governors. Va­cancies in community representative membership shall be filled by the Supreme Court. A person appointed to fill a vacancy shall complete the unexpired term of the person he or she replaces they replace, and if that unexpired term is less than 24 months he or she they may be reappointed to a consecutive term.

**(e)-(i)** [Unchanged.]

**APR 23.4**

**SERVICE**

Unless otherwise agreed by the parties in writing, service of papers and documents shall be made by first class post­age prepaid mail to the applicant’s, or his or her their coun­sel’s, last known address on record with the Bar. If properly made, service by mail is deemed accomplished on the date of the mailing. Any notice of change of address shall be sub­mitted in writing to the Bar.

**APR 24.1**

**HEARING PROCEDURE**

**(a)-(b)** [Unchanged.]

**(c) Burden of Proof.** An applicant must establish by clear and convincing evidence that he or she is they are of good moral character and possesses the requisite fitness to practice law.

**(d)-(e)** [Unchanged.]

**(f) Independent Medical Examination.** An indepen­dent medical examination (IME) may be requested by the Character and Fitness Board only when a basis for an in­quiry by the Character and Fitness Board exists under APR 22.1(e) and only after testimony and evidence presented at the hearing has failed to resolve the Character and Fitness Board’s reasonable concerns regarding the applicant’s abil­ity to meet the essential eligibility requirements to practice law. If the applicant has not previously been requested to provide information under APR 22.1(f)(1), (2), and (3), the Character and Fitness Board shall provide the applicant with the opportunity to submit such information, within such reasonable timelines as the Character and Fitness Board shall establish, prior to requesting the independent medical examination IME.

(1)-(3) [Unchanged.]

(4) *Report*. The examining professional shall issue a writ­ten report of his or her their findings, which shall be pro­vided to the applicant and his or her the applicant’s counsel, Bar Counsel, and the Character and Fitness Board.

(5)-(6) [Unchanged.]

**(g)** [Unchanged.]

**APR 28**

**LIMITED PRACTICE RULE FOR LIMITED LICENSE LEGAL TECHNICIANS**

**A.-H.** [Unchanged.]

**I. Continuing Licensing Requirements**

(1) [Unchanged.]

(2) *Financial Responsibility*. Each LLLT shall show proof of ability to respond in damages resulting from his or her their acts or omissions in the performance of services per­mitted under APR 28 by:

(a)-(c) [Unchanged.]

(3)-(4) [Unchanged.]

**J.-O.** [Unchanged.]

**APR 28 APPENDIX**

**REGULATIONS OF THE APR 28 LIMITED LICENSE LEGAL TECHNICIAN BOARD**

**Regulations 1.-3.** [Unchanged.]

**Regulation 4. Limited Time Waivers**

**A.** [Unchanged.]

**B. Waiver Requirements and Applications.** To qual­ify for the limited time waiver, an applicant shall pay the required fee, submit the required waiver application form, and provide proof, in such form and manner as the Bar re­quires, that he/she has they have:

1.-3. [Unchanged.]

**C.-E.** [Unchanged.]

**Regulations 5.-10.** [Unchanged.]