

OnPoint

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President's Message

by Sherene McDougall,
NCAPA President



Maya Angelou wrote: “Without courage, we cannot practice any other virtue with consistency.”

I am thrilled to serve as your 2022 NCAPA President. Thank you for giving me this opportunity to succeed Alana Stanley, who has done a terrific job over the past two years. Nervous, heck yes! Truthfully, I am stepping out of my comfort zone as an introvert and taking a courageous step by accepting this leadership role as your President.

I never dreamt that one day I would become NCAPA's President when I joined in 2015. Even when I became a Board member and then the Secretary, the thought never crossed my mind. I was comfortable being out of the spotlight. However, I loved being a part of an organization that valued my input and skills.

Fast forward to 2022, I am now in a leadership role as the President. Leadership can be hard to define as it may mean different things to different people. For example, it could relate to community, religious, political, and even family. As Dwight D. Eisenhower said, “Leadership is the art of getting someone else to do something you want done because he wants to do it.” Personally, Leadership is ACTION not a position.

There are many different reasons each of you joined NCAPA: some to network, some to continue your paralegal education, and some to find a new job! Our fluid profession is always growing and changing. We all have that unknown courage, talent, and skills to achieve results that we didn't know we were capable of. I challenge each and every member to be courageous - step out of your comfort zone and become more involved in NCAPA's workings. This can be achieved by volunteering some of your time. Ask our various committees if they have simple tasks that you can assist

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Happy Spring!

What DMV paralegals need to know about LLLTs

By Fatima Mahmud, AACP

A limited license legal technician (“LLLT”) is licensed to advise and assist clients navigating divorce, child custody, and other family law matters in Washington by the Washington Supreme Court. LLLTs (triple L Ts) provide limited legal services in family law by consulting with and advising clients, completing and filing necessary court documents, and assisting pro se clients at certain types of hearings and settlement conferences. They also help with court scheduling and support clients in navigating the legal system. LLLTs are well trained, experienced, and competent licensed legal professionals. They are limited in their ability to represent clients in court. If a client can’t afford a lawyer, a legal technician might be an affordable option. Some of these abilities came later when the rules were changed to expand the LLLT’s ability to practice, requiring enhanced training to those already licensed.



Current LLLTs already met the high standards required to secure their license, there have been adjustments to the requirements to allow others that were in the process of obtaining the license to attempt to meet them by June 2022. Initially they were required to obtain 3,000 hours (now 1,500) of substantive law-related paralegal work supervised by a lawyer prior to licensing. The experience was acquired no more than three years prior to passing the LLLT Practice Area exam. The LLLTs passed one official paralegal exam administered by an official paralegal credentialing organization, like the RP exam by NFPA. They passed two other exams administered by the Washington State Bar Association (“WSBA”): The Practice Area Examination to test knowledge of the LLLT scope of practice in family law and the Professional Responsibility Examination to test knowledge of the Rules of Professional Conduct. Before that they were already educated as paralegals. They have a minimum of an Associate’s degree, if not a Bachelor’s. Thereafter, LLLTs completed a Core Education of 45 credits of legal studies from a ABA-approved or LLLT Board-approved paralegal program or an ABA-approved law school. Moreover, they took additional and customized Family Law courses that were developed and taught by instructors at all three Washington state law schools. LLLTs learned about basic (general) family law (5 credits) and advanced Washington-specific family law topics (10 credits). By meeting all these high standards, LLLT already proved their sincere commitment to their clients and the Washington legal community.

Despite this dedication and the LLLTs’ personal investment in their new careers, the Washington Supreme Court decided to sunset the LLLT program by July 31, 2022. Existing LLLTs can continue their practice. However, there will be no new cohorts beyond the last LLLT exam on May 3-4, 2022. Below you will find two¹ links² with further descriptions. The subsequent article provides a more personalized perspective about what DMV paralegals need to know about LLLTs.

¹ <https://www.wsba.org/for-legal-professionals/join-the-legal-profession-in-wa/limited-license-legal-technicians>

² <https://cdn.ymaws.com/www.aclea.org/resource/collection/88C82694-55F0-4CB9-B357-992D9E274436/Monday-C1-Limited-License-Legal-Technician-Program-Presentation.pdf>

The Current Plight of Washington’s Legal System

By Christine Camper, LLLT

Washington’s huge access to justice gap consists of those who can’t afford an attorney and those who earn too much to qualify for free legal assistance. The result is unlicensed and unregulated professionals who target those in the gap who need legal assistance. Washington needed to design a new legal license because of those individuals offering unauthorized practice of law services. Washington did so by offering trained, experienced, regulated professionals – called Limited License Legal Technicians (LLLT) – in their place. The process to create the LLLT program began in 2001, but licensing didn’t start until 2012. The only practice area available for LLLTs is in family law, however the intent was to vet other areas of law to expand the license.

In Washington, a new attorney hourly rate is typically \$250 per hour while an experienced attorney charges anywhere from \$300 to \$500 per hour. Court hearings are set up to handle several cases within a 3-4 hour time frame. This could result in a \$750-\$2,000 attorney bill. This doesn’t include the hours required to communicate with the client, other parties, attorneys, the court, and draft the documents needed for each particular case. It is not unusual to spend \$10,000 for attorney representation for one hearing and to still be several months from starting a trial, which could be another \$10,000 - \$100,000.

The LLLT stakeholders knew that LLLTs could not be the single bridge over the gap in access to justice in the state. Some Washington courts provide facilitators as second professionals to help fill the gap. However, facilitators are not allowed to give legal advice. Facilitators sell court forms and instructions and assist with the court procedure for self-represented parties for a very low fee.

In 2015, I began working for a pro bono family law attorney in an incubator office for new attorneys. I was finishing the requirements to become a LLLT at this time as well. This included 3,000 substantive legal experience hours, obtaining certified credits for required law classes, a national paralegal exam, and a two part bar exam. I obtained my limited license in February 2018. Eventually, I began training attorneys in family law, worked as a paralegal, and operated as the office manager.

As the world was beginning to experience the pandemic in March 2020, I began a new contract with an attorney to provide paralegal and LLLT services. As relationships came to a screeching halt it seemed everyone was ready to file for divorce or change their parenting plans. Unfortunately, the courts also shut down or provided very limited services for months before finally working out a method to continue operating during the pandemic. Our office acquired 60 active cases during this time.



I elected to leave in May 2021 as the caseload was finally winding down. I was worn out working as both a paralegal and a LLLT for the firm. The stress of the last year required me to make a change. The public was also no longer able to pay for legal services. The stimulus payments ended and people were struggling to support their families after the long-term shut down.

The most unfortunate development came when the Washington Supreme Court caved to political pressure from local attorneys and voted to sunset the Limited License Legal Technician program on June 5, 2020. Those of us with licenses are grandfathered in and students who were in the process of obtaining the license have until June of 2022 to obtain the license. There will no longer be an ability to obtain this license thereafter. There are currently 78 LLLT’s, with 10 who are not currently active in a state of approximately 7.7 million people – and growing.

The impact of ending the LLLT program will be the increased backlog of the courts because more people will be self-represented without the understanding necessary to comply with the court requirements and procedures. The facilitator’s office is already overloaded. Legal clinics were over burdened pre-pandemic and will face worse problems without LLLTs. People who can’t afford attorneys, but can afford something will be forced to proceed without any legal assistance or seek unlicensed and unregulated services.

As with any new profession, there have been issues that needed attention to make the program successful. The LLLT program was on the verge of implementing the changes needed to reach more LLLT candidates and make the program financially self-sustaining when the Washington State Bar Association Board of Governors successfully lobbied the Washington Supreme Court to change its mind and vote to sunset the program. There are many individuals motivated to find a way to bring the program back; in the meantime, states across the nation are now launching their own programs based on Washington's model because it was the first state to bring this legal field to fruition. The American Bar Association (ABA) is also hopeful that Washington will reconsider their decision or that another program will be developed in its place.

Relief must still be provided to self-represented individuals to allow their legal matters to be resolved in a timely manner. They still need affordable, competent legal assistance so they can move on with their lives. Moreover, the courts still need to properly function without significant delays. I believe the LLLT program is a significant part in bringing this relief. Washington was the trailblazer in creating a new legal field and

now they have dropped the ball. I am hopeful this will get turned around in the future.

Christine Camper, LLLT, currently contracts with an attorney as a paralegal and manages her own business, EZ Documents LLLT (Limited License Legal Technician) Services for her family law cases. She has practiced in family law for 14 years and provides pro bono services for a clinic every week. Christine serves on the board of the Tacoma Community College legal department and speaks with paralegal students often. She received her associate degree in paralegal studies in 2006 and has practiced in Criminal, Bankruptcy, Social Security, Personal Injury, and Family law areas. Christine is a survivor of brain cancer and learns how to navigate her disabilities. She is a single mother of two grown children. Her daughter, soon to be 25, is married with 3 children. Her son, 18, is venturing out on his own. Christine loves to hike, camp, and country line dance. She has danced for over 20 years. Christine can be reached at <https://www.linkedin.com/in/christine-c-164432103/>.

NCAPA is hosting the 2023 NFPA Annual Convention!

This is a great opportunity to put NCAPA on the national stage and showcase what an amazing membership we have. We would love to get you involved in the planning process by opening a contest: We are looking for a theme or slogan! Email your suggestion to convention planning committee at convention2023@ncapa.com. The winning theme or slogan will be on all marketing materials and the winner will be showcased in OnPoint! We look forward to your creativity! NFPA's up-to-date Convention page is <https://www.paralegals.org/i4a/pages/index.cfm?pageid=3833>.