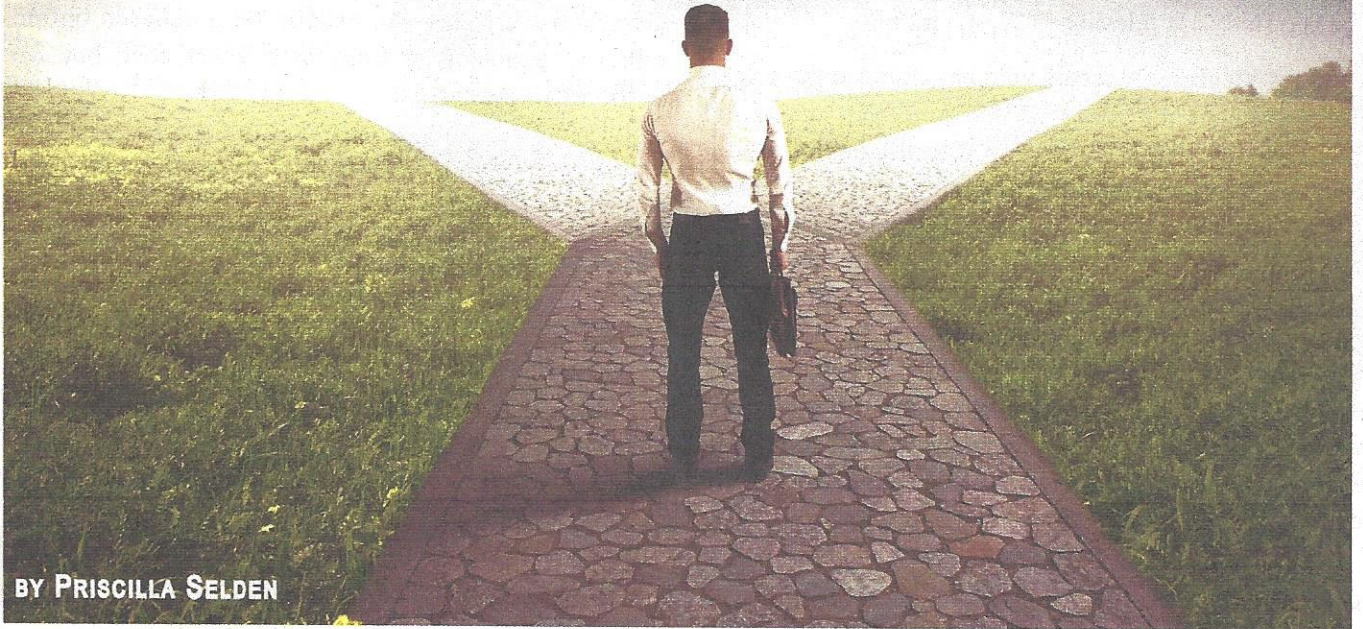


MY JOURNEY TO BECOME A LIMITED LICENSE LEGAL TECHNICIAN



BY PRISCILLA SELDEN

I can pinpoint the start of my journey to the day I stumbled upon our profession of “paralegal” at the community college library in my small city, Wenatchee, WA. After graduating from the University of Vermont with a BA degree in Political Science, and serving a year as a VISTA volunteer in Kansas City, I had moved out west, seeking a western lifestyle. I was now turning 30, and it was time to get serious and look for a grownup career. I went seeking inspiration, along with information, at the college library, with no direction in mind, and upon finding out about paralegalism, it seemed a perfect fit for me. This was the mid-1980s, and our field was new and growing. I determined to get the best credential I could, and earned my certificate from the ABA-approved Edmonds Community College program in Lynnwood, Washington, the first such program in the state, commuting home to my husband across the Cascade Mountains on weekends.

NEW SKILLS

Over the 25 years since, I have been exceedingly fortunate to have attorney-employers willing—dare I say, eager—to delegate to a detail-oriented, over-achieving, challenge-loving paralegal. I am guessing this sounds familiar! As a result, I learned and developed many skills that I now find useful in my new profession as a Limited License Legal Technician, graduating and testing in the first cohort, and the second LT to be licensed. I also actively sought out opportunities that would build my skills and knowledge, from volunteering as a CASA Guardian ad Litem, to applying for a position writing wills for tribal members in Indian Country around Washington that required overnight travel and long road trips several times a month. I even held the contract as Administrator of the Washington State Paralegal Association in the early

1990s; my first solo practice! Among my other volunteer activities, I also served on the Practice of Law Board, the Washington State Supreme Court/Bar Association volunteer board that wrote the rule that ultimately became Admission and Practice Rule 28 creating Limited License Legal Technicians.

My practice areas as a paralegal ranged from personal injury and tort litigation (plaintiff's side)—proponing and answering discovery, identifying witnesses and setting up depositions, drafting and filing complaints, briefs, and other pleadings, performing legal research—to real estate closings, poverty law, estate planning and probate, guardianships, bankruptcy, and Indian Law (wills). There was a dash of family law included, but not much (to my current lament... more about that later). I worked for a broad diversity of employers including sole practitioners, large law firms, the state Attorney General's Office, and two different legal aid programs. The Indian wills work was done through a Bureau of Indian Affairs grant, serviced through legal aid providers and Seattle University.

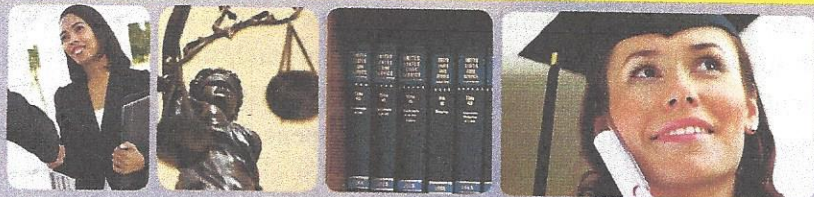
ROLE IN THE LEGAL SYSTEM

I was marinated at a young age by my parents in the sauce of volunteerism. They modeled for me a life of service and volunteering, and an abiding concern for fellow travelers. These values remained with me into adulthood. I saw, and still see, our profession as paralegals, and now as a Legal Technician, as largely a service profession. I would venture we all know—regardless of our area of practice—the scared, anxious, or simply overwhelmed look in a client's eyes trying to navigate the legal system. I have found

more often than not, my role to be one of explainer, interpreter, information-provider, along with the other standard duties. With our lower billing rates, paralegals are often more accessible than attorneys. I was often implicitly or explicitly assigned the role of intermediary with the client. I also found that clients often were less intimidated, conferring their fears, concerns, or questions on me, than on the attorney. There is still that divide that we often experience similarly in the medical field, between client (or patient), and attorney (or doctor). In fact, the Legal Technician has been described as similar to a Nurse Practitioner, in the medical field. This divide is borne sometimes of respect, perception of shared life experience (or lack thereof), or even facility with language and complex terms or principles. I have always felt like a bridge-builder in my profession. A barefoot lawyer, one might say. This may be unique to my experience,

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but in any case, it continues to be true for me now, in my practice as a Legal Technician, explaining forms, procedure, the anticipated course of litigation, and other complexities.

In late 2013, after the Legal Technician rule had been adopted and the initial phases of ramping-up the education and entry processes for the license were underway, I found myself without employment. Economic pressures had resulted in my being laid off from the firm where I was working. As I began to consider the landscape of options, it occurred to me that, having contributed to the creation of the Legal Technician rule, it would be interesting to see what the experience of it would be like from the other side; to apply for the license and see how far I could get, without necessarily being convinced I would make it all the way. Previously the LT license had not been on the radar for me. As I indicated, despite 25 years as a paralegal, family law was an area my attorneys had never specialized in. I had some limited work experience and academic training, but that was it. I was going to have to rely on my other skills and background, as well as the practice area classes required for the license, to pull me through. The license was a path to continued professional development, and, did I mention that, I like challenges? This was definitely a case of “one door closes, another one opens.” So I ventured on, studying on my own to test for and earn NFPA’s Registered Paralegal designation, gathering transcripts, paying fees, registering for the practice area classes, and volunteering for a year with family law practitioners at the legal aid office in Wenatchee.

THE PATH TO LICENSING

The path to the license is daunting. There are requirements, and pre-requisites. Tweaks and improvements continue to be made. Though a law school education is more exhaustive, surely the route into law school must be more straight-forward. And this is understandable, given the novelty and shock to tradition of this whole endeavor. Along with my four-year degree, my paralegal certificate from Edmonds Community

College program, my RP credential, the practice area classes, and 3,000 hours of “substantive law-related work experience supervised by a licensed lawyer ... within three years before or after the date the applicant is notified of passing” the qualifying examinations, there were at least two separate instances when I was required to get signed affidavits from previous attorney-supervisors attesting to my background, a final licensing exam that was unnerving to prepare for (being it was the first), and a fingerprinting requirement! Anyone interested in pursuing this license is cautioned to do their research fully, and in advance, so as to minimize surprises and plan appropriately.

So, what’s life like now, with this innovative, cutting-edge, pioneering license? Fulfilling; daunting; rewarding; satisfying; and, sometimes scary. It’s definitely provided me the autonomy I was looking for, and professional stature that is gratifying. The 14 LLLTs so far have forged different paths – some of us out on our own as solos, some in firms, some in combination with other engagements. Though I was approached by a firm with the offer of a position, I chose to stick to my original plan: to work under this license as a sole practitioner. My commitment to using the license to make legal services more affordable was in conflict with the additional overhead and other expenses a firm would charge my clients. Also, after so many years in the profession, I had developed my own strong ideas about how to practice, that I was eager to implement. Along with my sole practice, I have been very fortunate to have a contract with the local pro bono attorney program. The pro bono attorneys are an extremely limited resource allocated only enough time to do brief intake or services. When the attorneys identify a client with a family law issue who needs extended services, they make the referral to me. I meet with clients and am reimbursed on a per-appointment basis. The program received a grant, the first ever of its kind, to fund my work on these cases. It has been challenging and rewarding to craft this partnership out of whole cloth. I also contract with the county government to provide services as a court-



was the right path for me. I still have so much to learn, and I deeply appreciate my mentors and fellow legal

Washington state Supreme Court reception for the first class of Limited License Legal Technicians graduates.

house facilitator, assisting clients with forms and procedure in family law matters.

A GROWING BUSINESS

These two contracts, along with my private clients, provide a comfortable and growing economic base, which I will need to grow over time in order to be self-sustaining. Obtaining the malpractice insurance and setting up my practice as a PLLC under Washington law was another complex, fraught step on this journey. I feel very fortunate that the legal community in Wenatchee has been welcoming and supportive, and I believe that my partnership with the pro bono program and work as a courthouse facilitator contribute to this acceptance. One of the more enjoyable features of earning the license has been the interviews by students at premier US law schools, interested in studying this profound change in the delivery of legal services. All of we licensed LTs have been interviewed by media outlets from our local newspapers up to Bloomberg News, all interested in what this new license means for the future of the practice of law in this country.

Sitting across a desk from a client who is relying on me, ultimately, to help them with their legal problem is both terrifying and ennobling. Humbling and gratifying. Operating my practice on my own, from the accounting requirements to technology can be a real strain some days. But I am so glad I took the leap. It



professionals, including the state Bar Association, for their support, patience, and leadership. I am really looking forward to what the next few years bring both to me, and to the profession. I welcome newcomers to the license, and caution you to examine the requirements very carefully, should this program be initiated in your state. You will know if this is the right path for you, as I did. It's equal parts terrifying and liberating. I never could have anticipated this opportunity when I first discovered this profession, and I'm so glad it happened in my lifetime!

Priscilla Selden graduated in the first class of Legal Technicians, and passed the first Legal Technician exam held in May 2015. After earning her License, Priscilla opened her sole practice, Columbia Valley Legal Technician Services, PLLC. She works with the Chelan-Douglas Volunteer Attorney Services to provide services to low-income clients and is also the Family Law Courthouse Facilitator in Douglas County. Priscilla received her undergraduate degree from University of Vermont with a 4.0 GPA. Priscilla's paralegal career has included experience in Indian law, plaintiff's personal injury and employment discrimination, estate planning, probate, bankruptcy, and family law. She has worked for a diverse group of employers, including Columbia Legal Services, Northwest Justice Project, Seattle University, the Attorney General's office, and private practitioners.

