
HOUSE BILL 1975

State of Washington 52nd Legislature 1991 Regular Session

By Representatives R. Meyers and Ludwig.

Read first time February 18, 1991. Referred to Committee on Judiciary

1 AN ACT Relating to paralegals; adding a new chapter to Title 18
2 RCW; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The purpose of this chapter is to
5 protect the members of the public by requiring the regulation of
6 persons who provide paralegal services and by prescribing
7 qualifications for persons who provide those services.

8 NEW SECTION. **Sec. 2.** Unless the context clearly requires
9 otherwise, the definitions in this section apply throughout this
10 chapter:

11 (1) "Director" means the director of the department of
12 licensing.

13 (2) "Paralegal" means a person, neither an attorney nor authorized
14 to practice law under RCW 2.48.190, who holds himself or herself out as

1 qualified to do work of a legal nature for compensation, regardless of
2 whether the person is under the supervision of an attorney. "Work of a
3 legal nature" includes, but is not limited to, giving legal advice
4 regarding the laws governing bankruptcy, divorce, custody or
5 maintenance, and wills or trusts and estates, or the preparation of any
6 legal document for a fee.

7 NEW SECTION. **Sec. 3.** No person shall represent himself or
8 herself as a paralegal or engage in any services as a paralegal without
9 first obtaining certification under this chapter.

10 NEW SECTION. **Sec. 4.** (1) An applicant applying for
11 certification as a paralegal shall file a written application on a form
12 or forms provided by the director setting forth under affidavit such
13 information as the director may require, and proof that the candidate
14 has met the qualifications required under this section. The applicant
15 shall include with his or her application an application fee which
16 shall be determined by the director.

17 (2) The director shall issue a certificate to each applicant who
18 meets the following qualifications:

19 (a) The applicant must be eighteen years of age or older;

20 (b) The applicant must have a baccalaureate or higher degree from
21 a college or university accredited by the western association of
22 schools and colleges or a similar accreditation agency, or colleges and
23 universities approved by the director by rule; and

24 (c) The applicant must have satisfactorily completed a paralegal
25 examination administered by the director or by a public or private
26 agency or institution recognized by the director as qualified to
27 administer the examination.

1 NEW SECTION. **Sec. 5.** A paralegal certificate is effective
2 for one year. Every person certified as a paralegal may renew his or
3 her certificate by applying for renewal and paying the renewal fee
4 determined by the director. Failure to apply for renewal and pay the
5 annual renewal registration fee shall render the certificate invalid.

6 NEW SECTION. **Sec. 6.** In addition to any other authority
7 provided by law, the director may:

8 (1) Adopt rules in accordance with chapter 34.05 RCW necessary to
9 implement this chapter;

10 (2) Establish forms necessary to administer this chapter;

11 (3) Employ clerical, administrative, and investigative staff as
12 needed to implement and administer this chapter;

13 (4) Maintain the official departmental record of all applicants and
14 certificate holders;

15 (5) Adopt rules of conduct for paralegals which shall be designed
16 to assure that paralegals do not practice law in violation of
17 Washington law and supreme court rules;

18 (6) Consult with the bar association and the supreme court with
19 respect to appropriate rules of conduct for paralegals;

20 (7) Suspend or revoke certificates for failure to conform to this
21 chapter or the rules adopted under this chapter;

22 (8) Investigate alleged violations of this chapter, the rules
23 adopted under this chapter, and consumer complaints involving
24 paralegals, and issue subpoenas in furtherance of its investigations;

25 (9) Set all application, certification, and renewal fees in
26 accordance with RCW 43.24.086; and

27 (10) Set certification expiration dates and renewal periods for all
28 certifications under this chapter.

1 NEW SECTION. **Sec. 7.** (1) There is created a state
2 advisory committee consisting of five members appointed by the
3 director who shall advise the director concerning the administration of
4 this chapter. Three members of the committee shall be certified
5 paralegals. The remaining two members shall be attorneys. In making
6 the attorney appointments, the director shall seek the recommendations
7 of the board of governors of the Washington bar association.

8 (2) Committee members shall be entitled to be compensated in
9 accordance with RCW 43.03.240 and to be reimbursed for travel expenses
10 under RCW 43.03.050 and 43.03.060.

11 (3) The committee shall elect a chairperson and such other officers
12 as it deems appropriate. Three members of the committee shall
13 constitute a quorum of the committee.

14 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act shall
15 constitute a new chapter in Title 18 RCW.

16 NEW SECTION. **Sec. 9.** Section 3 of this act shall take effect
17 July 1, 1992.