

How to Find a Lawyer and Other Legal Resources in Washington State



Do the Words "Lawyer" and "Attorney" Mean the Same Thing?

Often, "lawyer" and "attorney" mean the same thing. Both words can describe a person admitted to a bar association with a license to practice law.

However, the word "attorney" sometimes means something different. For example, there is a document called a Power of Attorney. In this document you give someone the power to make decisions for you in very specific circumstances, like if you have a health emergency and cannot make decisions for yourself. It does not mean this person is a lawyer who can give legal advice or represent you in court.

What Is "Pro Se" and "Pro Bono"?

Pro se (pronounced "pro say") is a legal term for a person who doesn't have a lawyer. You have the right to choose to represent yourself *pro se* in any legal matter unless a court finds that you are not competent to do so.

Pro bono is a legal term used to describe free legal services provided by lawyers. Your county bar association may be able to connect you with *pro bono* lawyers in your area. *Pro bono* lawyers usually ask clients to pay the costs of the case, like the filing fees, copying costs, and expert witness fees.

Do I Have the Right to Be Represented by a Lawyer?

Yes, you have the right to be represented by a lawyer *that you hire and pay*. There are certain criminal and civil cases where you *might* have the right to a court-appointed free lawyer. See the next Q&A below.

When Do I Have the Right to a Free Lawyer?

You might qualify for a free lawyer, called a "public defender," if you are involved in one of the following legal issues:

- **Involuntary Detention:**
 1. You have the right to a public defender if you are low-income, you have been charged with a crime or contempt of court, *and* you could end up in jail or prison.
 2. You have the right to a public defender, regardless of your income, if you have been committed to a public mental health facility.

Sometimes, courts do not appoint a public defender automatically. If this happens to you, ask the court to appoint one for you.

The King County Office of Public Defense provides screening for a public defender in King County. Call 206-296-7662 or visit in person. More information, including office locations, is at www.kingcounty.gov/depts/public-defense.aspx.

For other counties, see this online list: www.opd.wa.gov/public-defender-offices

- **Dependency actions:** Low-income parents can get a public defender when the state seeks to terminate their parental rights. A minor child involved in dependency actions may also ask the court for a free lawyer through the Guardian ad Litem.
- **Minors:** People under 18 years old can have a public defender appointed when they are involved in juvenile offender hearings (civil proceedings for minors accused of committing a crime). See also “Dependency actions” above.
- **Guardianship:** When a court is deciding whether guardianship should be established over a person, that person has the right to a lawyer. If the person can’t afford a lawyer, she or he can ask the court to appoint one.
- **Absent due to military service:** If you cannot defend yourself in a civil action because you are absent due to military service or you are a dependent of a service member in military service, a court must appoint a lawyer for you before entering a judgment against you.

For more detailed information about qualifying for a public defender, see the Seattle Municipal Court webpage “Obtaining a Public Defender”:
www.seattle.gov/courts/coming-to-court/obtaining-a-public-defender

What If I Don’t Have the Right to a Free Lawyer?

You may still qualify for free legal assistance (legal advice, help with forms, representation) depending on your income and legal issue. To learn whether you qualify for free legal assistance, contact the referral service that covers your county:

- **CLEAR**
For low-income people living *outside King County*. Low income for CLEAR is usually about 125% of the federal poverty level, but it can be up to 200% in some situations. Free interpreters. Open on weekdays from 9:15 a.m. until 12:15 p.m.
By phone: 1-888-201-1014 (toll-free)
TTY: 7-1-1 or 1-800-833-6384 (toll-free)
Online: <https://nwjustice.org/apply-online>

- **CLEAR*Sr**
For people 60 years old or older living *anywhere in Washington State*, regardless of income. People who call CLEAR*Sr must first leave a voice message. The CLEAR*Sr line will close once the voice mail message system is full. Low-income seniors may also call the CLEAR line, listed above. Low-income seniors calling the CLEAR*Sr line have the option to transfer to the CLEAR line, and if eligible, may speak with an advocate that day.
By phone: 1-888-387-7111 (toll-free)
TTY: 7-1-1 or 1-800-833-6384 (toll-free)
- **Washington Information Network 211**
For low-income people living *in King County*. Provides referrals to legal services. Open Monday through Friday from 8:00 am – 6:00 pm. Free interpreters.
By phone: 2-1-1 or 1-800-621-4636 (toll-free)
TTY: 7-1-1 or 1-800-833-4636 (toll-free)
Online: www.resourcehouse.com/win211/ (King County resources only)

Referral service information is available in Spanish, Chinese, Russian, Tagalog, Korean, Vietnamese and Somali at www.nwjustice.org/get-legal-help.

What If I Don't Qualify for Legal Assistance?

You can hire a lawyer or you can represent yourself.

Have you worked with a lawyer before? You could hire that lawyer again or ask that lawyer for referrals to other lawyers.

Otherwise, you can call a county bar association lawyer referral service. These services will help you figure out whether you have a legal problem and need a lawyer. If you do need a lawyer, they will try to find one for you. You may have to pay the bar association a small fee for the first 30-minute meeting with the lawyer (except for SSI/SSDI appeals). If you want to hire the lawyer, you should ask about fees first. See the Legal Voice publication “Working with a Lawyer” listed in Resources below.

A list of all Washington State County Bar Associations is here, www.wsba.org/connect-serve/other-bars/county-bar-associations. Bar referral services in populous areas:

Eastern Washington:

- Spokane County Bar Association Lawyer Referral
By Phone: (509) 477-6032
Online: www.spokanebar.org/online-referral-service/

King County:

- King County Bar Association Lawyer Referral

By Phone: (206) 267-7010
Online: www.kcba.org/lrs/index.aspx
Email: LRS@KCBA.org

Western Washington outside King County:

- Southwest Washington Lawyer Referral
By Phone: (360) 695-0599
Online: www.ccbawashington.org/community-resources
Email: LRS@ccbawashington.org
- Kitsap County Lawyer Referral
By Phone: (360) 479-6125
Online: <http://kitsaplegalservices.org/>
- Lewis County Bar Association Lawyer Referral
By Phone: (360) 748-0430
Online: <http://thelcbla.org/>
- Tacoma-Pierce County Lawyer Referral
By Phone: (253) 383-3432
Online: www.tpcbacom/public/lawyer-referral-service/
- Snohomish County Lawyer Referral
By Phone: (425) 388-3018
Online: www.snoabar.org/LRS/lrsform.html

Are There Other Ways To Pay a Lawyer?

- **Contingency Fees:** Lawyers sometimes take cases on a contingency fee basis: that means they take their fees out of the money awarded through a settlement or court proceeding. If you are applying for or have been denied Social Security/SSI/SSDI benefits, the law allows you to hire a lawyer that only collects fees if and when you win your case and receive benefits. This is also true for workers compensation and veteran's benefits cases. Sometimes lawyers will take employment discrimination cases on contingency. See the Legal Voice publications "Working with a Lawyer" and "Damages and Contingency Fees" listed in Resources below.
- **Bankruptcy:** Bankruptcy attorneys become a creditor in the bankruptcy. If you have assets that can be sold to pay some of your debts, you may be able to find a bankruptcy attorney to represent you on a contingency fee basis.
- **Court-ordered fee payment:** See "Can the Court Order the Other Side to Pay My Lawyer's Fees?" below.

If you have one of these types of cases, call a lawyer referral service for a referral to a lawyer who works in those areas of law. (See “What If I Don’t Have the Right to a Free Lawyer?” above.)

Can the Court Order the Other Side to Pay My Lawyer’s Fees?

Maybe. Here are a few situations where the court can or will order lawyer fee payment:

- Can order fee payment in family law cases (see note below)
- Can order fee payment in employment wage cases
- Can order fee payment in home foreclosure cases
- Will order fee payment in in certain contract cases.
- Will order fee payment in cases where health care providers have released medical records without patient consent.

Note: In family law cases, your lawyer may be willing to file a motion asking the court to order the other party to pay your lawyer’s fees, if the other party is financially able to do so. If the other party ignores the order, you will be responsible for paying your lawyer while that plays out in court.

What If I Still Can’t Find a Lawyer to Represent Me?

Visit the Washington Law Help website, www.washingtonlawhelp.org for self-help materials and a list of legal services.

Visit the Washington State Bar Association website, www.wsba.org/home for links to information, resources and legal programs run by the WSBA, such as the Home Foreclosure Legal Aid Project and Moderate Means Program.

Most county courts have a Courthouse Facilitator and/or a Family Law Facilitator Program. In King County, for example, family law facilitators give information and referrals to people representing themselves in family law cases for a small fee (fee waivers available). See the King County website for more information on the program, including walk-in hours, and links to helpful resources:

www.kingcounty.gov/courts/FamilyCourt/facilitator.aspx

To find facilitator programs in other counties, see the Courthouse Facilitators list on the Washington Courts website: www.courts.wa.gov/court_dir/?fa=court_dir.facils

Consider whether working with a Limited Licensed Legal Technician will work for your situation. Alternative dispute resolution, like mediation, may also be an option. See Resources below.

Resources

- See the resource list in the “Legal Help” chapter of the *Handbook for Washington Seniors*, listed below. The book was written for seniors and caregivers, but the information is useful for all.
- *Damages and Contingency Fees in Personal Injury and Discrimination Cases*, by Legal Voice: Explains how a lawyer decides whether to take a case on a contingency fee basis.
Online: www.legalvoice.org/tools-lawyers
- *Handbook for Washington Seniors: Legal Rights and Resources* chapter 14 “Legal Help”, by Legal Voice: Information about lawyers, Limited Licensed Legal Technicians, and alternative dispute resolution, as well as an extensive resource list.
Online: www.legalvoice.org/handbook
- *Mediation: Should I Use It?*, by Northwest Justice Project: Information about the out-of-court process known as mediation.
Online: www.washingtonlawhelp.org
- *Working with a Lawyer*, by Legal Voice: Explains fees, interviewing lawyers, and offers special tips for domestic violence survivors when hiring a lawyer. Available in Russian and Spanish.
Online: www.legalvoice.org/tools-lawyers

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of November 2019.

Updated 11/4/19 by Chloë Phalan.

Legal Voice gratefully acknowledges the work of Jenny Cochrane, Kay Wilcox, Joan Anderson, Poonam Bora, Kelli Smith, Josh Bam, and June Krumpotick on previous versions of this memo.

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