

BEFORE THE LIMITED LICENSE LEGAL TECHNICIAN BOARD
OF WASHINGTON STATE

In re

MIKA 'IL RASHID,

(LLLT No. 155).

Proceeding No. LF23#00001

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND HEARING OFFICER'S
RECOMMENDATION

The undersigned Hearing Officer held the hearing on November 18, 2024 under Rule 10.13 of the Washington Supreme Court's Rules for Enforcement of Limited License Legal Technician Conduct (ELLLTC). Respondent Mika'il Rashid appeared at the hearing, representing himself. Disciplinary Counsel Erica Temple appeared for the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (WSBA).

FORMAL COMPLAINT FILED BY DISCIPLINARY COUNSEL

The Formal Complaint filed by Disciplinary Counsel charged Mika'il Rashid with the following counts of misconduct:

COUNT 1

1. By filing the First Motion, naming AGOA as a plaintiff, without authorization, and/or by acting beyond Respondent's defined practice area, Respondent violated LLLT RPC 1.2(f)

1 and/or LLLT RPC 8.4(d).

2 COUNT 2

3 2. By filing the First Motion, and/or by failing to dismiss the First Motion despite Pody's
4 request, Respondent violated LLLT RPC 3.1(a)(1) and/or LLLT RPC 8.4(d).

5 COUNT 3

6 3. By failing to pay the court ordered sanctions, Respondent violated LLLT RPC
7 3.1(a)(6), LLLT RPC 8.4(d), and/or LLLT RPC 8.4(j).

8 COUNT 4

9 4. By identifying as a "lawyer" on LinkedIn and/or in Respondent's professional email
10 signature, and/or by identifying as a "solicitor," Respondent violated LLLT RPC 7.1(a) and/or
11 (b).

12 Disciplinary Counsel moved to dismiss Count 3 at the beginning of the hearing. The
13 Hearing Officer granted the motion and Count 3 was dismissed.

14 Based on the pleadings in the case, the testimony and exhibits at the hearing, the Hearing
15 Officer makes the following:

16 **FINDINGS OF FACT**

17 5. Respondent Mikail Rashid was admitted as a LLLT in the State of Washington on
18 May 7, 2021.

19 6. The Aspen Grove Condominiums (Aspen Grove) is a condominium complex of
20 around 100 units, and the volunteer governing board is the Aspen Grove Owners Association
21 (AGOA).

22 7. As of 2022, Respondent was the owner of M.R. Assets LLC, which owned a unit in
23 the Aspen Grove.

24 8. Respondent was not on the board of the AGOA.

1 9. In 2022, members of the AGOA held meetings after a contractor working on repairs
2 to Aspen Grove filed for bankruptcy and stopped work. Aspen Grove faced lawsuits and liens
3 from subcontractors. Aspen Grove needed a special assessment for money to address the
4 subcontractor liens.

5 10. On June 5, 2022, Vitaly Greck (Greck), an Aspen Grove resident, filed a grievance
6 with the WSBA against Respondent related to this dispute, accusing Respondent of knocking on
7 Greck's door and threatening litigation. EX A-102.

8 11. Greck did not testify at the hearing.

9 12. Dean Pody testified at the hearing.

10 13. Pody is a lawyer whose office has represented the AGOA for at least eight or nine
11 years.

12 14. On June 10, 2022, Respondent filed a Motion for Preliminary Injunction (referred to
13 in the Formal Complaint as the First Motion) in King County Superior Court No. 22-2-08831-1,
14 a civil case. Respondent identified the co-plaintiffs as Respondent and the Aspen Grove
15 Condominium Association.

16 15. Respondent identified the defendants as Marlys Markley (president of the AGOA
17 board), Pody, and Agynbyte LLC (Aspen Grove's property management company). EX A-103.

18 16. Respondent moved the court to restrain the defendants from making any budget
19 increases, and to order that Markley vacate the position of president. Respondent signed the First
20 Motion as "Mikail Rashid, WSBA #155LLLT." EX A-103.

21 17. *In all pleadings concerning the legal actions involving AGOA and this issue,*
22 *Respondent used the signature block "Mikail Rashid, WSBA #155LLLT."*

23 18. *Respondent testified at his subsequent disciplinary hearing that in using this signature*
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1 | *line he had not intended to practice outside the authorized field of practice for Limited License*
2 | *Legal Technicians. This testimony was not credible.*

3 | 19. *By using the signature line “Mikail Rashid, WSBA #155LLLT,” in the civil pleadings,*
4 | *Respondent engaged in the practice of law outside the scope authorized by APR 28.*

5 | 20. *By representing parties and people in civil litigation, without authorization, and*
6 | *outside his authorized area of legal practice, Respondent misused his status as an LLLT, in*
7 | *violation of APR 28.*

8 | 21. AGOA did not authorize Respondent to file any legal actions on AGOA’s behalf.
9 | AGOA never hired Respondent in any capacity and Respondent filed the lawsuit without
10 | AGOA’s knowledge or consent.

11 | 22. Respondent knew that Pody represented the AGOA.

12 | 23. *Respondent testified at his subsequent disciplinary hearing that he did not purport to*
13 | *act on behalf of AGOA in filing the above legal action, nor did he hold himself out as representing*
14 | *any of the property owners in the above legal action. This testimony was not credible.*

15 | 24. On June 13, 2022, a King County Superior Court Commissioner denied Respondent’s
16 | motion because there was not proper notice to the opposing party. EX A-104.

17 | 25. On June 14, 2022, Respondent filed A-106, another Motion for Preliminary
18 | Injunction, again identifying the co-plaintiffs as Respondent and the Aspen Grove Condominium
19 | Association.

20 | 26. Pody’s office reached out to Respondent, requesting that Respondent strike the
21 | motion, but Respondent did not.

22 | 27. On June 16, 2022, Pody, representing the AGOA, filed the AGOA’s (1) Request for
23 | Dismissal, (2) Opposition to Proposed Order, and (3) Request for Sanctions, Attorney Fees, and
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1 Costs. Pody requested sanctions in the amount of \$5,162.00 and costs of \$57.08 for having to
2 respond to Respondent's First Motion. EX A-108, 109.

3 28. Pody's firm invoiced the AGOA for \$4,849.08 in fees and costs for responding to
4 Respondent's motion. EX A-109.

5 29. Either the AGOA or its insurance carrier paid for those legal fees.

6 30. On June 16, 2022, the parties attended a hearing on Respondent's motion, but
7 Respondent struck the hearing prior to the commissioner issuing a ruling because Respondent
8 was not the legal owner of a unit at Aspen Grove.

9 31. Respondent received a June 17, 2022 letter from Pody, EX A-117, which requested
10 that Respondent dismiss the motion and stated that Respondent did not have authority to represent
11 AGOA.

12 32. Respondent did not dismiss the motion.

13 33. In Respondent's email communication with Pody's firm, Respondent's email
14 signature identified Respondent as "Lawyer-LLLT."

15 34. Pody's firm checked WSBA website to confirm that Respondent was not in fact a
16 lawyer.

17 35. On June 23, 2023, AGOA filed Aspen Grove Owners Association Motion for
18 Voluntary Dismissal and Sanctions, EX A-111, 112.

19 36. Respondent did not read this motion because of frustration and fatigue.

20 37. Pody's firm determined that they needed to file the motion on the assigned judge's
21 calendar, and the earliest date available for a hearing was in September 2022.

22 38. While the legal matters were pending, the AGOA would not be approved for a loan,
23 which delayed repair work at Aspen Grove. The pending litigation also caused issues with
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1 homeowners being able to sell their units.

2 39. On July 5, 2022, Respondent filed a new Motion for Emergency Preliminary
3 Injunction seeking the same relief as the First Motion that Respondent filed. EX A-115.

4 40. Respondent did not name any co-plaintiffs in the motion, and it was unsigned.

5 41. On July 7, 2022, King County Superior Court Commissioner Mark Hillman held a
6 hearing on Respondent's motions for an injunction and Pody's request for sanctions. The parties
7 appeared via Zoom.

8 42. On July 11, 2022, King County Superior Court Judge Elizabeth Berns entered an
9 Order Granting Plaintiff Aspen Grove Owners Association's Motion for Voluntary Dismissal and
10 For Sanctions, EX A-118. The court dismissed AGOA from the case and awarded AGOA \$500
11 in sanctions against Respondent.

12 43. The court found that:

- 13 • [Respondent's] Motion for Preliminary Injunction was filed in bad faith and for an
14 improper purpose and is not warranted by fact or law.
- 15 • [Respondent] engaged in the unauthorized practice of law in this matter;
- 16 • [Respondent] holds himself out to the public as being a licensed attorney despite that
17 he is not one;
- 18 • [Respondent] filed a lawsuit on behalf of Aspen Grove Owners Association without
19 its knowledge or consent;
- 20 • [Respondent] has violated APR 28 pertaining to the scope of permitted practice of
21 limited license legal technicians;
- 22 • [Respondent] has violated CR 11.

23 44. Also on July 11, 2022, Respondent sent an email to the WSBA in response to Greck's
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1 grievance, EX A-119. The email signature identified Respondent as “Lawyer - LLLT.”

2 45. On July 13, 2022, Commissioner Hillman entered an Order Denying Motion for
3 Injunction and Granting Sanctions, EX A-120, denying Respondent’s July 5, 2022 motion and
4 awarding sanctions of \$1,000 against Respondent for submitting an unsigned motion in violation
5 of Civil Rule 11.

6 46. On July 14, 2022, the parties entered an agreed Stipulation and Agreed Order of
7 Dismissal of the case in King County Superior Court, EX A- 121.

8 47. Respondent did not pay the sanctions immediately because of financial hardship.

9 48. In November 2022, Respondent paid the AGOA all of the sanctions ordered by the
10 court. EX A-124.

11 49. As of 2022, Respondent’s LinkedIn profile identified Respondent as “Lawyer -
12 LLLT.” EX A-123.

13 50. Respondent or Respondent’s brother created the LinkedIn profile, but Respondent did
14 not frequent LinkedIn or other social media sites.

15 51. As of 2022, Respondent’s professional email signature identified Respondent as
16 “Lawyer - LLLT.” EX A-110, A-119.

17 52. In response to feedback from ODC, Respondent removed “lawyer” from
18 Respondent’s professional email signature and decided to substitute the word “solicitor.”

19 53. *Respondent testified at his disciplinary hearing that he did not intend to mislead*
20 *anyone into believing he was a lawyer licensed to practice law in the State of Washington. This*
21 *testimony was not credible.*

22 54. *Respondent testified at his disciplinary hearing that he used the word “Lawyer” in*
23 *his LinkedIn account, and the signature line of his emails, because people were not familiar with*
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1 *limited license legal technicians. Respondent testified, "I had to continue to explain what it was*
2 *(LLLT). So in order to kind of circumvent that I found a word that I thought people would*
3 *understand." TR 87:8-13.*

4 55. Respondent testified at his disciplinary hearing that after he was advised by Office
5 of Disciplinary Counsel that he could not use "Lawyer" when identifying himself professionally,
6 so he used the word "Solicitor" as a substitute.

7 56. Respondent was advised by Office of Disciplinary Counsel that he could not use the
8 word "Solicitor" either. Respondent now uses the term "legal practitioner" in Respondent's email
9 signature.

10 57. Respondent testified that he had felt justified using the words "lawyer" and
11 "solicitor" when identifying himself because the rules governing limited license legal technicians
12 did not specifically prohibit him from doing so.

13 58. Respondent knowingly identified himself as a lawyer, and continued to do so, even
14 after being sanctioned by the court for, among other things, holding himself out to the public as
15 a lawyer.

16 59. Respondent acted knowingly in improperly naming AGOA as a plaintiff.

17 60. Respondent caused injury to AGOA and its members because the litigation could have
18 prevented owners from selling or refinancing their units, and AGOA paid legal fees to Pody that
19 had to be reimbursed.

20 61. AGOA's legal fees were more than the sanctions Respondent paid.

21 62. Respondent's actions caused injury to the profession, which depends on LLLTs to be
22 forthright in identifying themselves.

23 63. Respondent committed multiple violations of the LLLTRPC.

1 64. Respondent has no prior disciplinary record.

2 65. Respondent has limited experience in LLLT practice, and the misconduct happened
3 less than two years after being licensed as a LLLT.

4 66. At the conclusion of his testimony, Respondent conceded that using the words
5 “lawyer” and “solicitor” could have been misleading, and expressed remorse for this.

6 **CONCLUSIONS OF LAW**

7 67. ODC proved Counts 1, 2 and 4 by a clear preponderance of the evidence:

8 **Count 1**

9 68. By filing the First Motion, naming AGOA as a plaintiff, without authorization, and by
10 acting beyond Respondent’s defined practice area, Respondent violated LLLT RPC 1.2(f) and
11 LLLT RPC 8.4(d).

12 69. As a LLLT, Respondent was authorized to provide limited legal services within the
13 scope of Admission and Practice Rule (APR) 28(F).

14 70. Respondent was not authorized by APR 28(F) to represent clients in a civil case.

15 71. Respondent filed the First Motion naming AGOA as a plaintiff without authority and
16 compounded the misconduct by failing to dismiss AGOA as a plaintiff even after Pody notified
17 Respondent of that lack of authority.

18 72. Respondent filed the First Motion in a civil litigation matter that was well beyond
19 Respondent’s authorized practice area as defined by APR 28(F). The Appendix to APR 28,
20 Regulation 2(B)(h), provides for the scope of authorized practice for LLLTs; LLLTs, when
21 accompanying their clients, may assist and confer with their pro se clients and respond to direct
22 questions from the court or tribunal regarding factual and procedural issues at hearings involving
23 *domestic relations* cases. Regulation 2(B)(h) does not authorize appearing in cases that do not
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1 involve domestic relations.

2 73. Respondent was therefore prohibited by APR 28(H)(5) from filing the First Motion as
3 a LLLT and pursuing the subsequent litigation.

4 74. LLLT RPC 8.4(d) provides that it is professional misconduct for a LLLT to engage in
5 conduct that is prejudicial to the administration of justice. Respondent initiated an unauthorized
6 lawsuit, and went forward even after Pody's June 17, 2022 letter.

7 75. Respondent's actions resulted in sanctions, and undue injury to the AGOA and other
8 litigants.

9 76. Although superior court findings "cannot be the sole basis for establishing facts at a
10 disciplinary hearing," they "can be considered along with other firsthand evidence in the record."
11 In re Disciplinary Proceeding Against Jones, 182 Wn.2d 17, 40, 338 P.3d 842 (2014).

12 77. Respondent's entire course of conduct was prejudicial to the administration of justice.

13 78. Respondent violated LLLT RPC 1.2(f) and LLLT RPC 8.4(d).

14 **Count 2**

15 79. By filing the First Motion, and by failing to dismiss the First Motion despite Pody's
16 request, Respondent violated LLLT RPC 3.1(a)(1) and LLLT RPC 8.4(d).

17 80. As described above, Respondent's conduct was an abuse of a legal proceeding;
18 naming AGOA as plaintiffs lacked a good faith basis in law or fact, and the Superior Court found
19 that Respondent filed the First Motion in bad faith and for an improper purpose.

20 81. Respondent's conduct also violated the rules of the tribunal, specifically CR 11.

21 82. By filing the First Motion, and then failing to dismiss the First Motion despite Pody's
22 request, Respondent violated LLLT RPC 3.1(a)(1).

23 83. As noted above, Respondent's entire course of conduct was prejudicial to the
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1 administration of justice, in violation of LLLT RPC 8.4(d).

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3 **Count 4**

4 84. By identifying as a “lawyer” on LinkedIn and in Respondent’s professional email
5 signature, and by identifying as a “solicitor,” Respondent violated LLLT RPC 7.1(a) and (b).

6 85. Respondent falsely identification as a “lawyer,” and subsequently as a “solicitor” on
7 LinkedIn and in Respondent’s email signature, was false, misleading and a violation of LLLT
8 RPC 7.1(a) and (b).

9 **Sanction Analysis**

10 86. Because this is the first formal proceeding against a LLLT, this Hearing Officer cites
11 Washington Supreme Court cases of lawyer discipline, which the Hearing Officer relies on by
12 analogy.

13 87. The standards of the American Bar Association’s Standards for Imposing Lawyer
14 Sanctions (“ABA Standards”) (1991 ed. & Feb. 1992 Supp.) will also be applied by analogy for
15 determining the sanction in this matter.

16 88. However, there are some differences between discipline for lawyers and LLLT’s. For
17 example, the ELLLTC do not allow for a sanction of disbarment but do allow for revocation, and
18 under ELLLTC Title 13, suspensions must not exceed one year.

19 89. A presumptive sanction must be determined for each ethical violation. In re Anschell,
20 149 Wn.2d 484, 69 P.3d 844, 852 (2003).

21 90. ABA Standard 6.2 is most applicable to abuse of the legal process (Counts 1 and 2).

22 91. Respondent acted knowingly in improperly naming AGOA as a plaintiff.

23 92. There was injury to AGOA and its members because the litigation could have
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1 prevented owners from selling or refinancing their units, and AGOA paid legal fees to Pody that
2 had to be reimbursed.

3 93. The presumptive sanction is suspension.

4 94. ABA Standard 7.0 applies to violations of duties owed as a professional, including
5 misleading communications about a lawyer's services.

6 95. Here, Respondent knowingly identified as a lawyer.

7 96. Respondent's actions caused injury to the profession, which depends on LLLTs to be
8 forthright in identifying themselves.

9 97. The presumptive sanction is suspension.

10 98. When multiple ethical violations are found, the "ultimate sanction imposed should at
11 least be consistent with the sanction for the most serious instance of misconduct among a number
12 of violations." In re Petersen, 120 Wn.2d 833, 854, 846 P.2d 1330 (1993).

13 99. "A period of six months is generally the accepted minimum term of suspension." In
14 re Cohen, 149 Wn.2d 323, 67 P.3d 1086, 1094 (2003).

15 100. Based on the Findings of Fact and Conclusions of Law and application of the ABA
16 Standards, the appropriate presumptive sanction *is a six-month suspension*.

17 101. The following aggravating factor set forth in Section 9.22 of the ABA Standards
18 is applicable in this case: (d) multiple offenses.

19 102. The following mitigating factors set forth in Section 9.32 of the ABA Standards
20 are applicable to this case:

21 103. (a) absence of a prior disciplinary record.

22 104. (f) inexperience in LLLT practice.

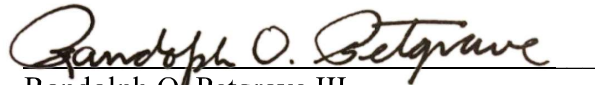
23 105. ABA Standard 9.32(f) is "inexperience in the practice of law." By analogy, for
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1 LLLTs this factor would be “inexperience in LLLT practice.”

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3 **Recommendation**

4 106. Based on the ABA Standards and the applicable aggravating and mitigating
5 factors, the Hearing Officer recommends that Respondent Mika'il Rashid be suspended for a
6 period of **six months**.

7 Dated this 10th day of February, 2025.

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10 Randolph O. Petgrave III
11 Chief Hearing Officer
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CERTIFICATE OF SERVICE

I certify, under penalty of perjury under the laws of the State of Washington, that I caused a copy of the **Findings of Fact, Conclusions of Law and Hearing Officer's Recommendation** in regards to **In re Mika'il Rashid (LLLT License No. 155LLLT), Proceeding No. LF23#00001**, to be emailed by agreement on the date shown below to:

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DATED this February 10, 2025



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