



**WASHINGTON DISCIPLINE SYSTEM**  
2021 Annual Report

**WASHINGTON STATE**  
BAR ASSOCIATION

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# WASHINGTON DISCIPLINE SYSTEM 2021 Annual Report



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## WASHINGTON STATE BAR ASSOCIATION

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## EXECUTIVE SUMMARY

*The Washington State Bar Association (WSBA, Bar) is pleased to present the 2021 Discipline System Annual Report.<sup>1</sup> This report is published to share publicly available information about the operations of Washington’s lawyer and limited license practitioner discipline system.*

The Washington Supreme Court has exclusive governmental responsibility over the discipline system, many aspects of which are delegated by court rule to be administered by the WSBA. Consistent with the Supreme Court’s mandate in [General Rule \(GR\) 12.2](#), the WSBA administers an effective system of discipline to fulfill its obligations to protect the public and ensure the integrity of the profession.

The WSBA’s lawyer discipline functions are discharged primarily by the WSBA’s Office of Disciplinary Counsel (ODC), the WSBA’s Office of General Counsel (OGC), the Disciplinary Board, and Washington Supreme Court-appointed hearing officers. The WSBA discipline functions for limited licenses to practice law are discharged by ODC and the WSBA’s Regulatory Services Department (RSD), each license’s respective Supreme Court regulatory board, OGC, and Washington Supreme Court-appointed hearing officers.

Key components include:

- Reviewing and investigating allegations of ethical misconduct and incapacity.
- Prosecuting violations of the applicable ethical rules.
- Seeking and approving the transfer of practitioners to disability inactive status.
- Addressing less serious matters with diversion.
- Informing the public about licensed legal professionals, the legal system, and means to address difficulties involving lawyers and other licensed legal professionals.
- Informally resolving non-communication issues and file disputes (disputes regarding clients requesting their files).
- Administering a random examination program to assess trust account compliance and to educate practitioners on the proper handling of client funds held in trust.
- Administering the Client Protection Fund.
- Educating practitioners about the discipline system and their ethical responsibilities.
- Participating in the development and improvement of the law of ethics and discipline.

<sup>1</sup> For purposes of this report, references to “the discipline system” encompass both the discipline and disability systems.

☰ This report summarizes the WSBA's efforts and highlights discipline system-related accomplishments from the 2021 calendar year."

In 2021, ODC lawyers and auditors appeared as speakers in nineteen programs around the state, at national conferences, and in webinars and webcasts, educating lawyers, law students, and legal professionals on topics of trust account recordkeeping and compliance, the discipline system, immigration law, conducting remote hearings, flat fees and retainers, and the revised lawyer advertising and communication rules.

The WSBA Professional Responsibility Program—which is distinct from and independent of the discipline system—also provides ethics education and outreach to practitioners. In fiscal year 2021, Professional Responsibility Program staff provided ethics advice to 2,192 callers and educated members at 33 programs around the state, including live, webinar, and webcast events.

### WSBA Professional Responsibility Program



Member Education at  
**33**  
Programs



### WSBA ODC lawyers and auditors

—spoke at 19 state programs, national conferences, and in webinars/webcasts ...



### On topics including:

- Trust Account Recordkeeping and Compliance
- The Discipline System
- Immigration Law
- Conducting Remote Hearings
- Flat Fees and Retainers
- Revised Lawyer Advertising and Communication Rules

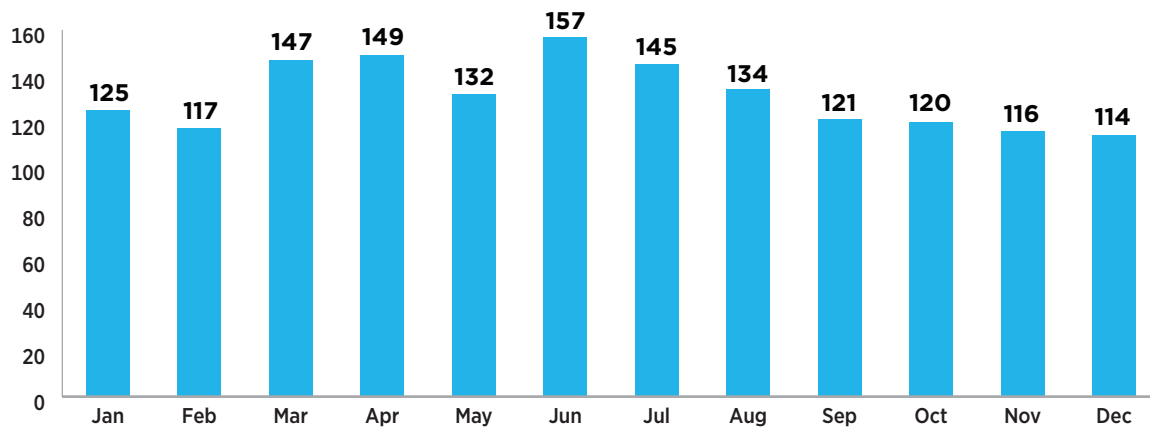
## COVID-19 and the Discipline System

The WSBA’s physical office closed to the public in March 2020 and remained closed until August 2, 2021. After the WSBA’s office closed, the vast majority of WSBA staff began working 100% remotely. Shortly thereafter, the Washington Supreme Court and the Chief Hearing Officer and Disciplinary Board Chair entered orders regarding modified procedures during the pendency of the COVID-19 public health emergency for matters in the licensed legal professional discipline and disability system. The temporary orders allowed for electronic communications as a primary method of communication during the public health crisis.

Although the COVID-19 public health emergency keenly affected the number of grievance filings during calendar year 2020, grievance filing rates have returned to pre-COVID-19 volume and are reported by month in the following chart. Overall, however, the filing rate remains lower than its previous pre-COVID-19 average.

### Number of Grievances Opened

2021



Recognizing the difficulties facing the membership during COVID-19, in March 2020 ODC placed the random trust account examination program in abeyance.

The program resumed operations on March 31, 2021. Remote and hybrid hearings recommenced in 2021, and a total of seven hearings were held.

# THE LAWYER DISCIPLINE SYSTEM

**THE WASHINGTON DISCIPLINE SYSTEM** for lawyers is composed of several entities that operate as part of the judicial branch of government under the authority of the Washington Supreme Court. The lawyer discipline system is administered by the WSBA, which operates the investigative and prosecutorial functions separately from the adjudicative functions. ODC oversees the investigative

and prosecutorial functions. OGC provides administrative and legal support to the hearing officers and the Disciplinary Board, which carry out the adjudicative and decision-making functions. OGC further manages the records for disciplinary proceedings. See [LPO and LLLT Discipline System](#) later in this Report for details about the discipline system for limited license legal professionals.

## Structure of the Lawyer Discipline System

### WSBA Office of Disciplinary Counsel

- Answers public inquiries and informally resolves disputes
- Receives, reviews, and may investigate grievances
- Recommends disciplinary action or dismissal
- Diverts grievances involving less serious misconduct
- Recommends disability proceedings
- Presents cases to discipline-system adjudicators

### Hearing Officers

- Conduct evidentiary hearings and other proceedings
- Conduct settlement conferences
- Approve stipulations to admonition and reprimand

### Disciplinary Board

- Reviews recommendations for proceedings and disputed dismissals
- Serves as intermediate appellate body
- Reviews hearing records and stipulations

### Washington Supreme Court

- Exclusive governmental responsibility for the system
- Conducts final appellate review
- Orders sanctions, interim suspensions, and reciprocal discipline

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## THE OFFICE OF DISCIPLINARY COUNSEL

ODC is responsible for reviewing, investigating, and prosecuting grievances about the ethical conduct of Washington lawyers and allegations of incapacity to practice law.

ODC has an intake team, three investigation/prosecution teams, a team of investigators, a team of paralegals, and a team of auditors. The intake team receives inquiries and written grievances and conducts the first review of grievances against lawyers. Some grievances are dismissed at the intake stage, while others are referred for further investigation by ODC investigation/prosecution staff, which includes disciplinary counsel, investigators, paralegals, and administrative assistants. After investigation,

disciplinary counsel determine whether grievances should be dismissed or reported to a review committee of the Disciplinary Board. Some less serious matters are diverted from discipline. Rule 6.2 of the Rules for Enforcement of Lawyer Conduct (ELC) sets forth criteria for determining what conduct may qualify as “less serious misconduct.”

Disciplinary counsel prosecute matters ordered to hearing by a review committee of the Disciplinary Board. If a hearing-level decision is appealed, disciplinary counsel brief and argue the appeal to the Disciplinary Board and, in some cases, the Supreme Court.

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## REVIEW COMMITTEES OF THE DISCIPLINARY BOARD

### ***Administered by OGC***

Four review committees, each composed of two lawyer members and one community representative member of the Disciplinary Board, serve an oversight function in the lawyer discipline system, first to consider grievant appeals of disciplinary counsel dismissals, and second to consider disciplinary counsel recommendations for admonitions or public disciplinary hearings. Among other

actions, a review committee may dismiss a matter, order further investigation, issue an admonition, or order a hearing. Review committees also have authority to order a hearing regarding a lawyer’s alleged incapacity to practice law. The WSBA’s OGC provides staff for legal and administrative support to the four review committees.

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## HEARING OFFICERS

### ***Administered by OGC***

Volunteer hearing officers preside over hearings for disciplinary and disability cases. They receive evidence and issue findings, conclusions, and a recommendation on the discipline to be imposed, if any. Hearing officers also conduct settlement conferences in many discipline cases. In disability proceedings, hearing officers make recommendations regarding whether a respondent lawyer

should be transferred to disability inactive status. They are also authorized to resolve cases by approving stipulations to reprimand, admonition, or dismissal. A Chief Hearing Officer supervises the hearing officers, assigns cases, assists with training, and monitors hearing officer performance. The WSBA’s OGC provides staff for legal and administrative support to hearing officers.



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## DISCIPLINARY BOARD

### *Administered by OGC*

In addition to its review committee functions, the Disciplinary Board, composed of volunteer lawyers and community representatives, considers appeals of hearing officer decisions. The Disciplinary Board reviews the record when a respondent lawyer or disciplinary counsel has filed an appeal of the hearing officer's recommendation in a disciplinary matter. The Board also reviews appeals of lawyer disability cases and may review suspen-

sion and disbarment recommendations. If requested, the Board hears oral argument on the cases much like an appellate court, and then issues its decision. The Board also reviews stipulations submitted by the parties, which, if approved, will resolve the proceeding without a hearing. The WSBA's OGC provides staff for legal and administrative support to the Disciplinary Board in the performance of its adjudicative functions.

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## WASHINGTON SUPREME COURT

The Washington Supreme Court has inherent and plenary authority to regulate the practice of law, including the power to dispose of individual cases of lawyer discipline. All proceeding resolutions are sent to the Court, except for dismissals. The Court reviews the Disciplinary Board's suspension and disbarment recommendations, which are appealable as a matter of right. The Court also considers petitions for discretionary review of other dispositions. Disciplinary and disability cases appealed to the Supreme Court, like other Supreme Court appeals, proceed with briefing and oral argument, followed by a written opinion by the Court.

The Supreme Court may order reciprocal discipline of lawyers who have been disciplined in other jurisdictions, and order interim suspension of a lawyer if the Disciplinary Board recommended disbarment or if the lawyer was convicted of a crime, poses a risk of serious harm to the public, fails to cooperate with a disciplinary investigation, or asserts the lawyer's own incapacity to defend against a disciplinary proceeding.

## 2021 by the Numbers

33,386

**Actively  
Licensed Lawyers**



6,104

**Other  
Licensed Lawyers**  
(Emeritus, Honorary,  
and Inactive)



1,577

**Grievance  
Files Opened**



14

**Public Formal  
Complaints Filed**



7

**Disciplinary  
Hearings**



42

**Disciplinary  
Actions Imposed**



1

**Supreme  
Court Opinion**



# LAWYER GRIEVANCE AND ODC STATISTICS

## Disciplinary Grievance Statistics

The following statistics relate to the intake, investigation, and prosecution by ODC of grievances against lawyers in the 2021 calendar year.

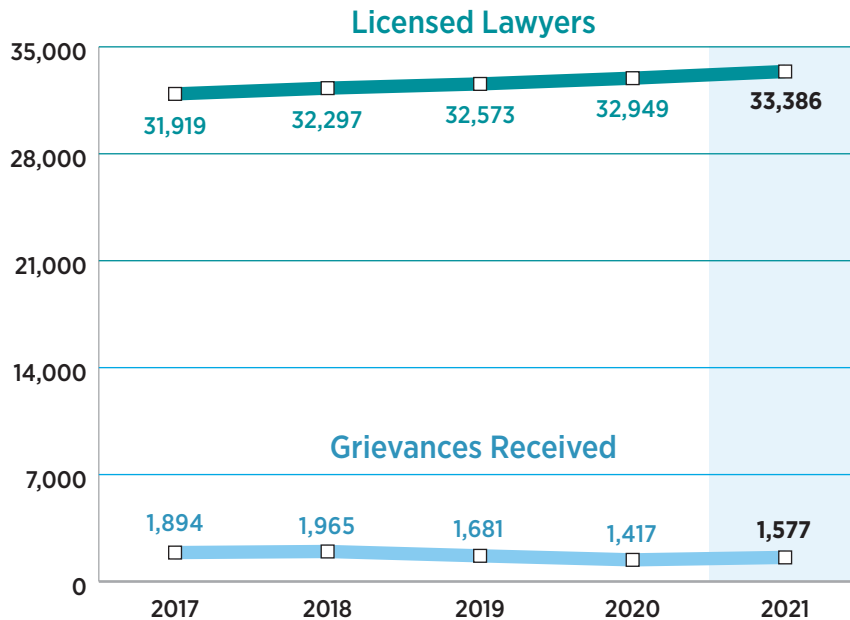
<b>Disciplinary Grievances, Informally Resolved Matters, and Public Inquiries</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Disciplinary Grievances Received	1,681	1,417	<b>1,577</b>
Disciplinary Grievances Resolved <sup>2</sup>	1,737	1,331	<b>1,665</b>
Non-Communication Matters Informally Resolved	156	95	<b>108</b>
File Disputes Informally Resolved	68	68	<b>20</b>
Public Inquiries, Phone Calls, Emails, & Interviews	3,986	2,198 <sup>3</sup>	<b>3,309</b>

<sup>2</sup> “Grievances resolved” include all grievances that closed during the calendar year, including, but not limited to, grievances that were dismissed in intake or after investigation and those for which disciplinary action was imposed.

<sup>3</sup> Due to COVID-19 related work disruptions in 2020, the number reported under “Public Inquiries, Phone Calls, Emails, & Interviews” is lower than expected based upon prior-year figures and may be slightly underreported, specifically with respect to email inquiries.

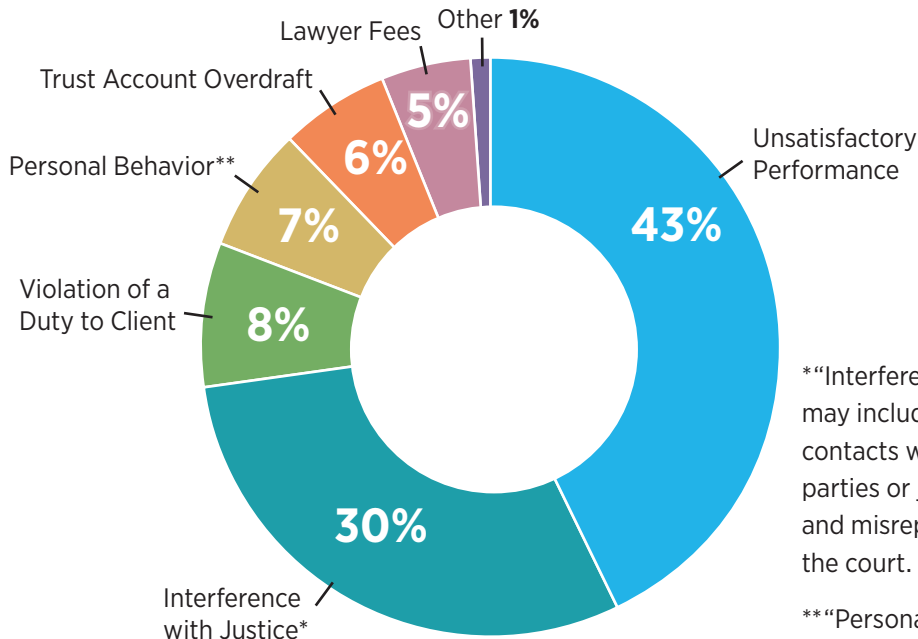
## Grievances Received in Relation to Number of Actively Licensed Lawyers

2017 - 2021



## Nature of Grievances

2021

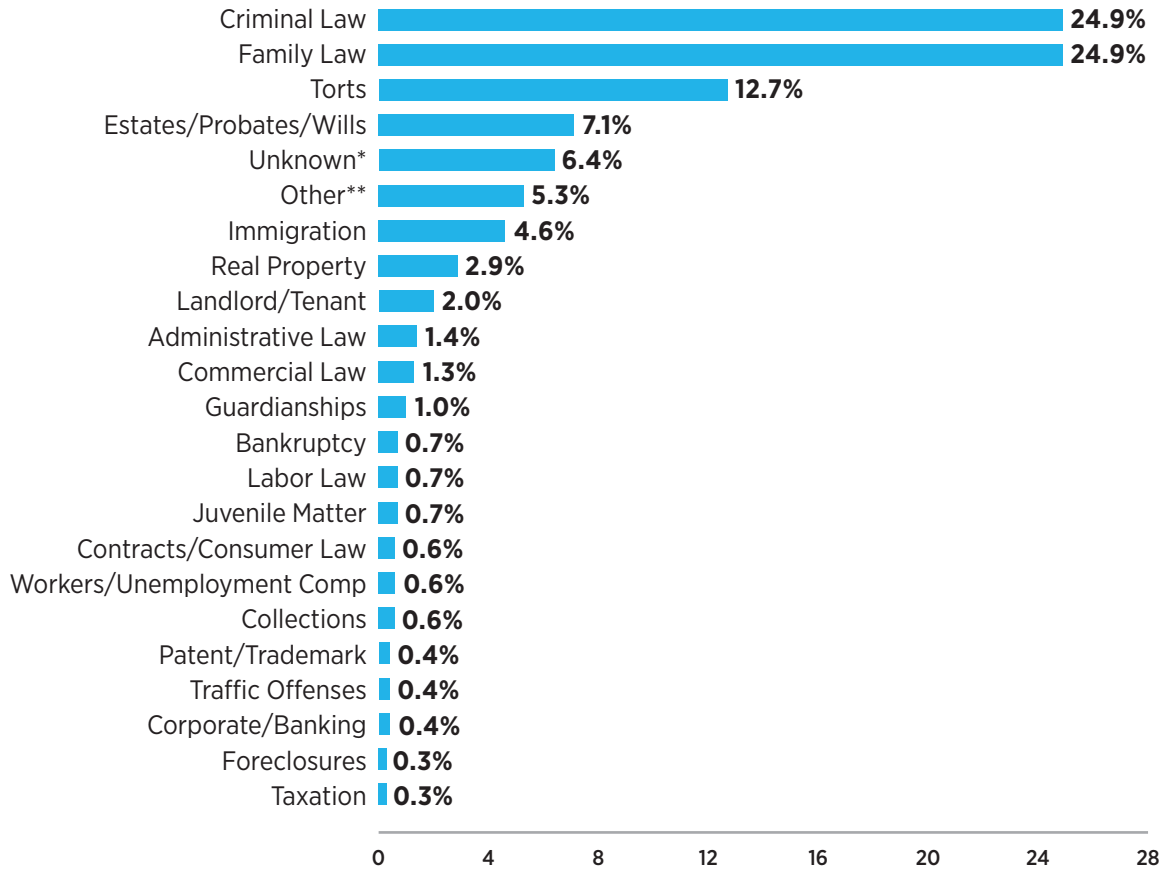


\*“Interference with justice” may include improper contacts with represented parties or judicial officers and misrepresentations to the court.

\*\*“Personal behavior” may include criminal law violations and other conduct not necessarily related to the practice of law.

## Practice Area of Grievances

2021

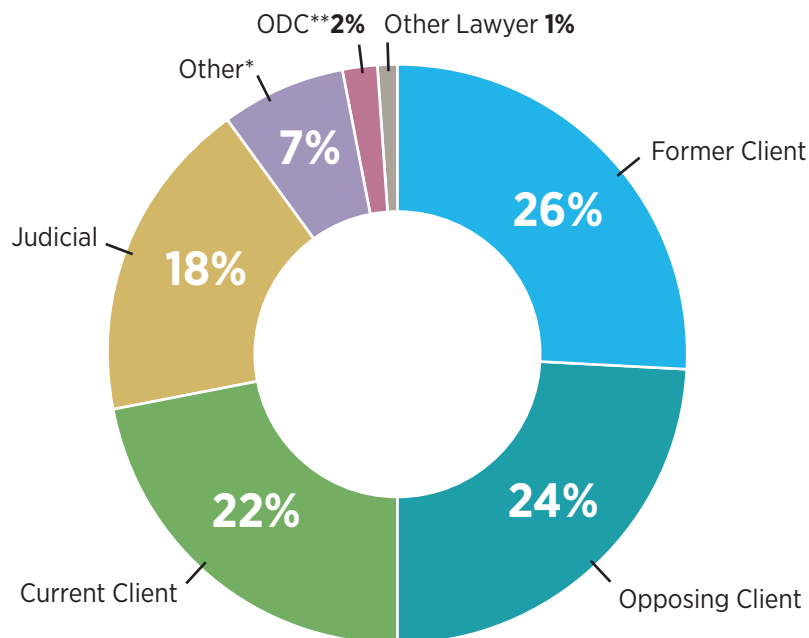


\*“Unknown” captures those grievances where there was too little information to determine a practice area.

\*\*“Other” reflects those practice areas that arise infrequently.

## Sources of Grievances Filed

2021



\*“Other” may include grievances filed by family members, neighbors, non-client members of the public, or other individuals.

\*\*“ODC” includes files opened in the name of ODC when potential ethical misconduct comes to the attention of disciplinary counsel by means other than the submission of a grievance (e.g., news articles, notices of criminal conviction, trust account overdrafts, etc.) or through confidential sources.

## Diversion

For less serious misconduct, ODC may divert a grievance from discipline if the lawyer agrees to a diversion contract. A successfully completed diversion results in

dismissal of the grievance. If the lawyer fails to complete the diversion contract, the grievance is reinstated and may result in public disciplinary action.<sup>4</sup>

<b>Diversions</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
New Diversions	22	18	<b>16</b>
Completed Diversions	26	21	<b>19</b>
Failed to Complete Contract	3	0	<b>0</b>

## Auditor Activities

Washington lawyers who maintain client trust accounts must hold those accounts with financial institutions that report any overdraft of funds to the WSBA. Auditors in ODC assist in the investigation and resolution of grievances opened because of overdraft notices. Auditors also assist in the investigation of grievance files involving trust account issues, conduct random examinations of lawyer

trust accounts to ensure compliance with the ethics rules, and review trust account records for lawyers on disciplinary probation. From March 31, 2020, to March 30, 2021, the random examination program was temporarily placed in abeyance due to the COVID-19 public health emergency.

<b>Auditor Activities</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
New Overdraft Files	95	65	<b>77</b>
Overdraft Files Closed	90	79	<b>89</b>
Investigation File Assignments	22	16	<b>21</b>
Random Examinations	60	20	<b>0<sup>5</sup></b>
Re-examinations	0	1	<b>0</b>

<sup>4</sup> Total completed diversions include diversions entered into in the prior reporting year but completed in the reporting year.

<sup>5</sup> To prioritize a backlog of previously opened Random Examination files, no new files were opened in 2021 due to a staffing shortage.

# LAWYER HEARINGS AND APPEALS

## Review Committees

In 2021, the review committees of the Disciplinary Board met 15 times to consider 242 matters, including review of dismissals; admonition, advisory letter, and hearing recommendations; and other requests, e.g., deferrals of investigation, orders for costs, and other non-routine matters.

<b>Review Committee Decisions</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Dismissals	357	269	<b>189</b>
Orders to Hearing	52	42	<b>35</b>
Other (Deferrals, Costs, etc.)	22	26	<b>7</b>
More Investigation	13	33	<b>10</b>
Advisory Letters	2	4	<b>1</b>
Admonitions	3	1	<b>0</b>

## Hearing Officers

In fiscal year 2021,<sup>6</sup> 34 volunteer lawyers appointed by the Washington Supreme Court served as hearing officers. In calendar year 2021, 33 disciplinary and five disability proceeding files were opened.

<b>Hearing Officer Work</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Hearings Held	6	3	<b>7</b>
Stipulations Approved	11	13	<b>11</b>
Settlement Conferences Held	17	12	<b>8</b>

<sup>6</sup> The WSBA's fiscal year is October 1 through September 30.



## Disciplinary Board

The Disciplinary Board considered 14 disciplinary and disability matters (excluding denials of sua sponte review) and ordered the transfer of five lawyers to disability inactive status.

<b>Disciplinary Board Matters</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Cases Reviewed by Appeal	1	2	0
Stipulations Considered	23	13	14
Oral Arguments	1	1	0

## Washington Supreme Court

The Supreme Court reciprocally disciplined four lawyers and suspended four lawyers on an interim basis.

<b>Supreme Court Decisions</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Interim Suspensions	13	4	4
Reciprocal Discipline & Disability Ordered	13	10	4
Oral Arguments	1	0	1
Published Opinions	0	1	1

# FINAL OUTCOMES IN LAWYER DISCIPLINE CASES

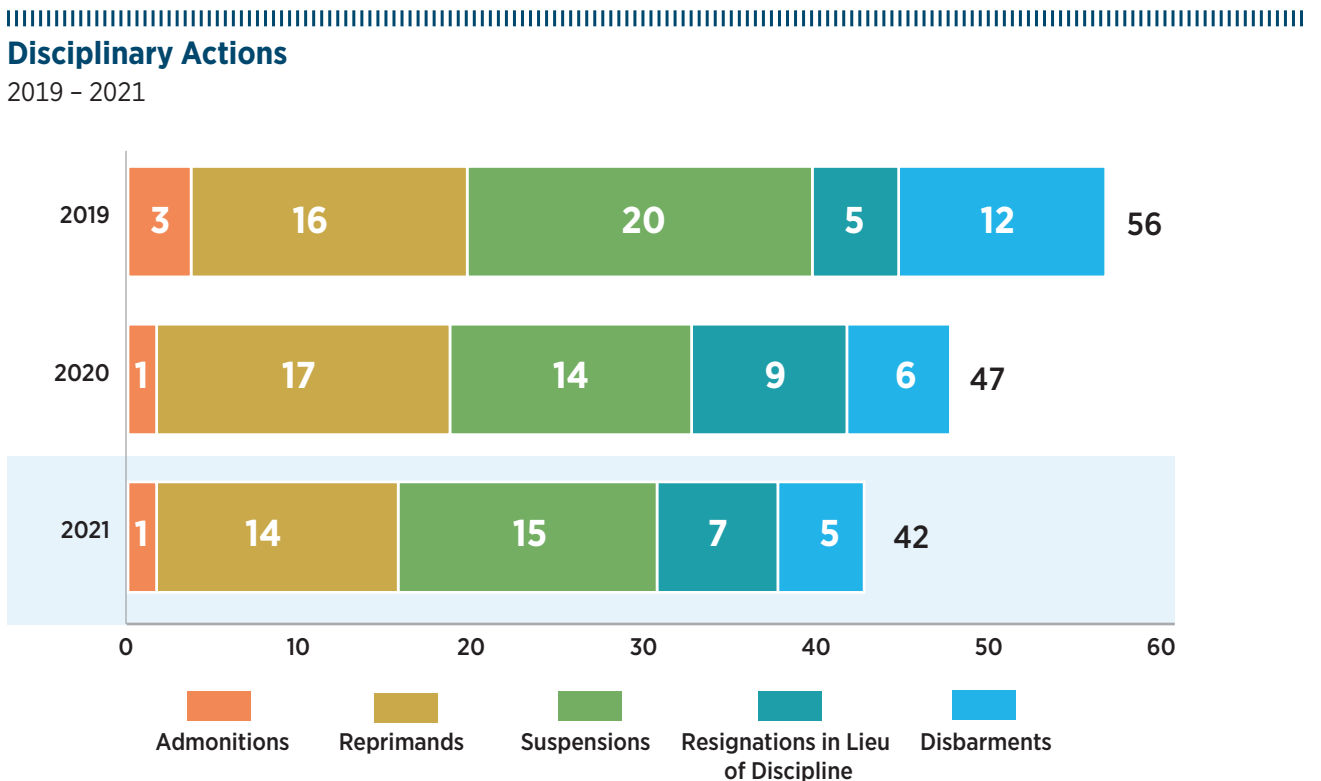
## Disciplinary Actions

Disciplinary “actions,” which include both disciplinary sanctions and admonitions, result in a permanent public disciplinary record. In order of increasing severity, disciplinary actions are admonitions, reprimands, suspensions, and disbarments. A suspension from the practice of law may be for any period of time not to exceed three years, and may include conditions to be fulfilled by the lawyer before reinstatement. A disbarment revokes the lawyer’s license to practice law. Disbarred lawyers are precluded from seeking readmission to the Bar for five years after disbarment. Only the Washington Supreme Court may order suspension, disbarment, or reinstatement.

Lawyers may also resign in lieu of discipline if they do not wish to defend against allegations of misconduct. A lawyer who resigns in lieu of discipline may not seek reinstatement to the practice of law in Washington.

Review committees of the Disciplinary Board also have authority to issue an advisory letter when it is determined that a lawyer should be cautioned. Advisory letters are neither a sanction nor a disciplinary action and are not public information. For less serious misconduct, a lawyer may be diverted from discipline.

In 2021, 41 lawyers were disciplined and one lawyer had more than one disciplinary action, for a total of 42 disciplinary actions. The following chart reports the number of disciplinary actions imposed over the last five calendar years.



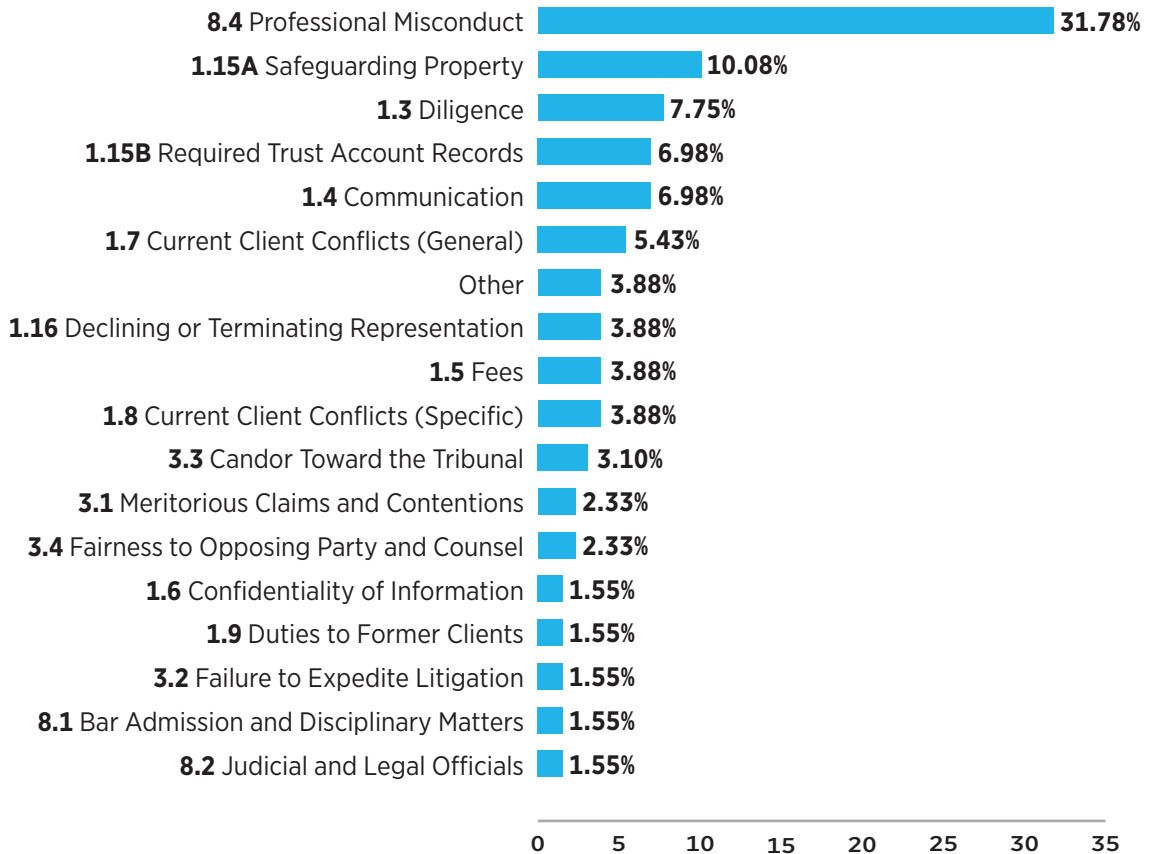
# Ethics Rules Violations

In 2021, the most common rule violations in disciplinary proceedings related to professional misconduct (RPC 8.4),<sup>7</sup> safeguarding client property and trust accounting (RPC 1.15A, 1.15B), diligence (RPC 1.3), and commu-

nication (RPC 1.4). The following chart details the RPC violations found in 2021 by percentage.<sup>8,9</sup> To review these and other RPC, visit the Washington Supreme Court’s website at [www.courts.wa.gov](http://www.courts.wa.gov).

## Ethics Rules Violations

2021



<sup>7</sup> RPC 8.4 violations may include, among other misconduct, criminal conduct, dishonesty, and conduct prejudicial to the administration of justice.

<sup>8</sup> The Ethics Rules Violations graph does not reflect multiple repeat rule violations in the same proceeding. Additionally, the chart does not reflect reciprocal discipline matters, as the applicable ethics rules vary among jurisdictions.

<sup>9</sup> “Other” reflects those RPC that individually amounted to less than 1% of the RPC violations found in 2021, including RPC 1.1 (competence), RPC 4.4 (respect for rights of third person), RPC 5.3 (responsibilities regarding nonlawyer assistants), RPC 5.5 (unauthorized practice of law; multijurisdictional practice), and RPC 7.1 (communications concerning a lawyer’s services).

# LAWYERS DISCIPLINED

2021 Supreme Court Disciplinary Opinions

**In re Geoffrey Cross**, 500 P.3d 958 (December 23, 2021), 198 Wn.2d 806

For the official opinion go to the [Washington State Judicial Opinions Website](#)

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## DISBARMENTS (5)

Bounlutay, Souphavady – #30552

Hoort, Eric Cameron – #29360

Mears, Traci E. – #30463

Purganan, Florian Damaso – #36291

Read, Brian Conroy – #34091

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## RESIGNATIONS IN LIEU OF DISCIPLINE (7)

Choi, Nathan W. – #41610

Jakeman, David A. – #39332

Loftin, Grover Matthew – #44942

Meade, Marcia Marie – #11122

Misner, Fred Michael – #5742

Oliason, Tarl Raud – #11923

Snyder, Mara A. – #43474

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## SUSPENSIONS (15)

Cimino, John A. – #11698

Cross, Geoffrey Colburn – #3089

Diaz-Luong, Roberto – #38477

Egan, James – #28257

Furness, Matthew S. – #43649

Hoover, Gregory Scott – #28049

Jaffe, Melissa Blythe – #46036

Johnson, Kevin L. – #24784

Johnston, Donna L. – #23630

Novack, Paul John – #13880

Prestrud, Douglas Holmes – #29913

Ramsdell, Charles Michael – #26164

Romero, Queta – #38986

Toy, Patricia A. – #20178

Van Idour, Robert Jerry<sup>10</sup>

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## REPRIMANDS (14)

Crollard, Jeff B. – #15561

Gibson, John – #19407

Haskell, Lori S. – #15779

Huelsman, Melissa Ann – #30935

Marcus, Howard Joseph – #12529

Peale, Walter O. III – #7889

Siegel, Brooks Richard – #50766

Staton, Gwyn Elizabeth – #9419

Treacy, Al M. – #36602

Trejo, George Paul Jr – #19758

Wathen, Rick J. – #25539

Wathen, Rick J. – #25539 (second)

Whitney, Marne B. – #41606

Youngjohn, Tom – #24170

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## ADMONITIONS (1)

Beauregard, Lincoln Charles – #32878

\*For more information, please visit [wsba.org](#) or our webpage on [Professional Discipline](#).

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<sup>10</sup> Lawyer is not licensed to practice in Washington.

# OTHER COMPONENTS OF THE DISCIPLINE SYSTEM

## Probation and Other Conditions of Discipline

Sanctioned or admonished lawyers may be placed on probation for a fixed time period. Conditions of probation may include alcohol and drug treatment, medical care, psychiatric care, office practice or management counseling, and periodic audits. Other conditions of discipline

may include paying restitution to victims and paying the costs of the disciplinary proceeding. A suspension order may also impose conditions that must be complied with prior to reinstatement.

Files Opened for Other Conditions Imposed	2019	2020	2021
Probation	19	11	15
Restitution	16	10	6
Costs	43	39	32

## Lawyer Disability Matters

Special procedures apply when there is reasonable cause to believe that a lawyer is incapable of properly defending a disciplinary proceeding or is incapable of practicing law due to a mental or physical incapacity. Such matters are handled under a distinct set of procedural rules. In some cases, the lawyer must have counsel appointed at the WSBA's expense. In these cases, a determination that the lawyer does not have the capacity to practice law

results in a transfer to disability inactive status. It is also possible for a lawyer to stipulate to a transfer to disability inactive status, and a transfer is required following judicial determination of a lawyer's incapacity, such as involuntary commitment. Although disciplinary procedural rules under the ELC govern disability proceedings, the proceedings are not disciplinary in nature.

Transfers to Disability Inactive	2019	2020	2021
Total	5	7	5

## Client Protection Fund

### *Administered by OGC*

The Client Protection Fund Board was established to promote public confidence in the administration of justice and the integrity of the legal profession. Its purpose is to relieve or mitigate a financial loss sustained by a client resulting from a WSBA member's dishonesty or failure to account for money or property entrusted to the WSBA member. The dishonesty or failure to account must have been in connection with the member's practice of law or role as a fiduciary in a matter related to the member's practice of law. To finance the Fund, WSBA

lawyers on active status, lawyers with pro hac vice admissions, in-house counsel lawyers, house counsel, foreign law consultants, and limited license legal technicians (LLLTs) pay an annual assessment imposed by order of the Washington Supreme Court. On September 9, 2020, the Supreme Court ordered that the Client Protection Fund annual assessment be reduced to \$10 in 2021 and on January 8, 2021, ordered that the assessment be \$20 in 2022. In 2021, the Fund gave over \$491,000 in gifts.

<b>Client Protection Fund<sup>11</sup></b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Number of Requests Granted	48	33	<b>29</b>
Of These, Number of Lawyers Involved	18	16	<b>18</b>
Total Gifts	\$419,488	\$586,266	<b>\$491,737</b>

<sup>11</sup> The **Client Protection Board** reports on the WSBA fiscal year, which is October 1 to September 30.

## Funding the Lawyer Discipline System

License fees fund the lawyer discipline system — there is no public funding.<sup>12</sup>

### Discipline System Revenue and Expenses<sup>13</sup>

REVENUE	2019	2020	2021
Recovery of Discipline Costs	\$72,284	\$99,805	<b>\$107,513</b>
Discipline History Summaries	\$15,952	\$17,292	<b>\$19,087</b>
Miscellaneous <sup>14</sup>	\$1,851	\$2,240	<b>\$1,275</b>
Total Revenue	\$90,087	\$119,337	<b>\$127,875</b>

EXPENSES	2019	2020	2021
Investigation/Prosecution	\$5,731,477	\$5,944,702	<b>\$5,703,554</b>
Disciplinary Board Expenses	\$215,526	\$236,779	<b>\$211,410</b>
Hearing Officer Expenses	\$33,868	\$29,058	<b>\$30,000</b>
Total Expenses	\$5,980,871	\$6,210,539	<b>\$5,944,964</b>
NET TOTAL EXPENSES	\$5,890,784	\$6,091,202	<b>\$5,817,089</b>

<sup>12</sup> Approximately two percent of the discipline system revenue is funded from alternative revenue sources, including recovery of discipline costs, issuance of discipline history certificates, and recovery of revenue for auditor review of trust account records.

<sup>13</sup> Lawyer discipline system expenses are based on the WSBA fiscal year.

<sup>14</sup> Miscellaneous revenue includes audit revenue.

## LPO AND LLLT DISCIPLINE SYSTEM

Limited practice officers (LPOs) and limited license legal technicians (LLLTs) are also licensed to practice law by the Washington Supreme Court through regulatory systems administered by the WSBA. LPOs may select, prepare, and complete forms for use in a loan, extension of credit, sale, or other transfer of real or personal property. See [Admission and Practice Rule \(APR\) 12](#) for more information about the LPO license. LLLTs are licensed to provide limited legal assistance to clients in family law matters. See [Admission and Practice Rule \(APR\) 28](#) for more information about the LLLT scope of practice.

A Washington Supreme Court-mandated regulatory board oversees each limited license: the Limited Practice Board for LPOs and the Limited License Legal Technician Board for LLLTs. Each licensee is subject to license-specific rules of professional conduct and disciplinary procedural rules. The WSBA administers a discipline system for these licenses.

The key differences between the lawyer discipline system and the limited license discipline systems are as follows:

1. Each regulatory board acts as the intermediate appellate body, akin to the Disciplinary Board, to review hearing records and stipulations.
2. A discipline committee of each regulatory board serves the function of a review committee.
3. RSD staff and the chair of each discipline committee conduct initial review of grievances and make intake decisions.

For both licenses, possible disciplinary actions include revocation, voluntary cancellation in lieu of revocation, suspension, reprimand, and admonition.

To learn more about other licensed legal professionals, visit [www.wsba.org](http://www.wsba.org).



## LPO and LLLT Statistical Information

<b>LPO Disciplinary Statistics</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Number of Active Licensees	838	823	<b>802</b>
Disciplinary Grievances Received	1	3	<b>3</b>
Disciplinary Grievances Resolved	2	2	<b>2</b>
Matters Diverted	0	0	<b>0</b>
Disciplinary Actions Imposed	0	0	<b>0</b>

<b>LLLT Disciplinary Statistics</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Number of Active Licensees	38	47	<b>66</b>
Disciplinary Grievances Received	0	0	<b>3</b>
Disciplinary Grievances Resolved	0	0	<b>1</b>
Matters Diverted	0	0	<b>0</b>
Disciplinary Actions Imposed	0	0	<b>0</b>

## PROPOSED DISCIPLINE AND INCAPACITY RULES UPDATE

On October 14, 2020, the Executive Director of the Washington State Bar Association submitted proposed disciplinary procedural rules, known as the Rules for Discipline and Incapacity (RDI), to the Washington Supreme Court in accordance with [General Rule \(GR\) 9](#). The suggested rules were intended to supersede and rescind the current disciplinary procedural rules, the Rules for Enforcement of Lawyer Conduct. The suggested rules would also have superseded and rescinded the Rules for Enforcement of Limited License Legal Technician (LLLT) Conduct and the Rules for Enforcement of Limited Practice Officer (LPO) Conduct, with all three sets being merged into a single system for all Washington state license types.

On December 2, 2020, the Supreme Court ordered the publication of the proposed RDI (and proposed conforming amendments to other rules) for public comment through April 30, 2021. On December 3, 2021, the Supreme Court declined to adopt the proposed amendments and directed the WSBA Disciplinary Advisory Round Table to convene, review the comments, and make recommendations on how the current discipline system can be modified or improved.

