



LAWYER DISCIPLINE IN WASHINGTON

Below are frequently asked questions about the grievance process. Also see www.wsba.org.

What is the Washington State Bar Association?

The Washington State Bar Association (WSBA) is the licensing organization for lawyers in Washington state. It is funded by fees its members pay.

Who disciplines lawyers in Washington?

The Washington State Supreme Court regulates lawyer conduct and delegates authority to the WSBA's Office of Disciplinary Counsel to review complaints (grievances) against lawyers.

What does it mean to file a grievance?

When you file a grievance, you are accusing a lawyer of unethical conduct. Before you file a grievance, try to resolve your dispute directly with the lawyer. If you are a client, a lawyer might refuse to continue to represent you after you file a grievance and you may need to find a new lawyer.

Can you represent me or give me legal advice?

No. You may want to consider contacting another lawyer to represent you in any ongoing civil or criminal case.

Who can file a grievance?

Anyone - members of the public, judges, lawyers - can file a grievance against any lawyer.

How do I file a grievance?

All grievances must be in writing. Note that we prefer that you do not bind or staple submitted documents as we will scan and destroy the documents you submit. Also note that we will not accept cassette tapes, disks, flash drives, or other electronic recordings with your grievance unless you provide a written transcript. We prefer that you use our grievance form, which contains additional instructions. We ask that you limit your submission to no more than 25 pages including exhibits. If you have additional documents, please refer to them in your initial submission and indicate that they are available upon request. You may submit your grievance form online using our electronic grievance form or mail your grievance to us. We do not accept grievances over the phone. You may file a grievance at any time. There is no fee to file a grievance.

How can you help me file a grievance?

If you have a disability and need help writing your grievance, please call us at 206-727-8207 and we will take reasonable steps to accommodate you. You must submit your grievance in English. We cannot help you decide whether you should file a grievance.

What contact information do you need for me?

We will communicate with you about your grievance in writing. Please provide a current mailing address on your grievance form and inform us as soon as possible if you change your mailing address.

Will the lawyer know that I filed a grievance?

Yes. We will provide your grievance to the lawyer, and we may provide it to others if we investigate your grievance. If you are concerned about disclosure of your identity to the lawyer, see Rule 5.2 of the Rules for Enforcement of Lawyer Conduct (Confidential Sources).

Will filing a grievance have an impact on my court case?

No. However, if you are a client, a lawyer might refuse to continue to represent you after you file a grievance and you may need to find a new lawyer. Disciplinary proceedings are not a substitute for protecting your legal rights and we will not become involved in your case. We only have authority to discipline a lawyer.

Can my grievance become public information?

Yes. Your grievance is not public information when you file it but, in some circumstances, such as when a grievance file is ordered to hearing, information related to your grievance may become public.

What happens after I file a grievance?

Disciplinary counsel reviews your grievance to decide what, if any, action to take. We will send you information after our initial review within two weeks of filing your grievance. If we review your grievance and decide to dismiss it, we will tell you why. If we ask the lawyer to respond to your grievance, generally you will receive a copy of the lawyer's response and have time to reply.

What are examples of matters that disciplinary counsel might not investigate?

Errors in judgment: Disagreements about the way a case should be handled, or a mistake.

Fee disputes: Disagreements about the amount of a lawyer's fees.

Rude behavior: Conduct that you think is rude or discourteous, or poor customer service.

Opposing lawyer: Conduct that has a negative impact on you but does not involve an ethical violation.

Personal matters: Disputes with neighbors, creditors, or spouses.

What is public discipline?

A final determination that a lawyer violated the Rules of Professional Conduct may lead to public discipline. Public discipline includes disciplinary sanctions and admonitions, which result in a permanent public disciplinary record. We publish statistics annually and links to our Annual Reports and Statistics are on The Discipline System web page. Disciplinary sanctions are reprimands, suspensions from the practice of law (up to three years), and disbarments. Only the Supreme Court can suspend or disbar a lawyer. A suspended or disbarred lawyer cannot practice law.