64393-2 64393-2

CASE NO. 64393-2-1

COURT OF APPEALS, DIVISION ONE
OF THE STATE OF WASHINGTON

LAWRANCE A. EDWARDS, Appellant

vs.

JULEA L. EDWARDS, Respondent

RESPONDENT'S BRIEF AND DECLARATION OF RECEIPT AND SERVICE

FILED
COURT OF APPEALS DIV. #1
STATE OF WASHINGTON
2010 JUN 29 AM 10: 19

Julea L. Edwards
Pro Se Respondent
10829 NE 183rd Court
Bothell, WA 98011

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I. Introduction of the Parties.

Pro se Appellant, Lawrance A. Edwards (father) has a JD degree from UCLA, 1985. Pro se Respondent, Julea L. Edwards (mother) has a Master's degree in Physical Therapy from the University of Washington, 2003. Mother represents herself secondary to father's initial appeals in 2008 costing mother $14,000.00 in legal fees. This amount included representation for three hearings because father's two appeal motions consisted of legal documents literally stacking four inches high. Over the past two years, mother has been awarded a total of $11,250.00 in attorney's fees, costs and sanctions from father which he has failed to pay in its entirety. Additionally, father's reimbursement to mother for college and medical costs is extremely unpredictable. Hence, mother represents herself pro se without a law degree.

II. Chronology relevant to the appeal.

The trial court carefully considered all the evidence and father's extensive history in the legal system before imposing sanctions and costs at both the July 24 and September 24, 2009 hearings. This chronology demonstrates father's endless, abusive, harassing actions in the legal system.

Parties were married August, 1985 and divorced in July, 2001. Mother had been essentially a stay at home mom the

previous 10 years of their marriage. Mother returned to school to complete the career path she initiated prior to marriage incurring over $48,800 in student loan debt. In September 2005, father convinced Commissioner Ponomarchuk in a Motion to Adjust Child Support that he, an attorney with 20 years of experience that included partnership at prestigious law firm (Lane Powell) and his own private practice made less income than mother, a physical therapist with just over one year of experience. Father's support obligation was adjusted from 76% to 43%. **CP 144-145**.

A brief history of the past two years in the legal system follows:

May 23, 2008 – Commissioner Sellers heard mother's *Motion for Child Support*, for parties' older daughter, Jacquelyn, granted and issued an order requiring the father to contribute 43.1% towards daughter's college expenses and uninsured medical costs and awarded mother $2,000 for attorney fees. **CP 5-7**.

June 12, 2008 – Judge Doerty heard father's *Motion for Revision*, denied and awarded mother $500 for attorney fees. **CP 146-147**.

September 12, 2008 – Judge Doerty heard father's *Motion for Contempt* and the *CR 60 Motion*, denied both, ruled father acted in bad faith and awarded the mother $4000 in attorney fees,

order entered October 3, 2008. **CP 148-151**.

July through November, 2008 – Father files multiple motions with the Court of Appeals, later consolidated into Case No. 61951-9-1.

February 20, 2009 – Commissioner Louden heard and granted mother's *Motion for Judgment* to recover fall quarter postsecondary and uninsured medical costs, billed October, 2008, unpaid after more than 60 days. **CP 9-12**.

April 24, 2009 – Commissioner Sassman heard and granted mother's *Motion for Judgment* to recover winter quarter postsecondary and uninsured medical costs, billed January, 2009, unpaid after more than 60 days. **CP 14-15**.

May 2, 2009 – Father filed *Motion for Reconsideration* of Commissioner Sassman's above order. **CP 152-236**.

May 5, 2009 – Court denied father's *Motion for Reconsideration*. **CP 237**.

May 13, 2009 – Father filed *Motion to Suspend Postsecondary Contribution*. **CP 238-265**.

May 20, 2010 – Mother filed *Response to Motion to Suspend Postsecondary Contribution* that included photos of his luxurious home on a golf course in Irvine, California. **CP 266-271**.

Father subsequently fails to confirm his motion.

July 24, 2009 – Commissioner Sassman heard mother's *Motion for Judgment* for spring quarter postsecondary and uninsured medical costs, billed April, 2009, unpaid after more than 60 days, grants mother's motion and awards $750 requested for costs plus an additional $2,000 in sanctions with a ruling that father acted in bad faith. **CP 131-132.**

August 14, 2009 – Mother attends father's *Motion for Revision* of above order, however Judge Clark recused herself secondary to having a former relationship with father. This was followed by assignment and recusal of Judge Spearman and Judge Lum, for the same reason. Father never mentions having a prior relationship with any of the Judges before they recused themselves.

September 24, 2009 – Judge Doerty heard father's *Motion for Revision*, denies and awards mother an additional $2,000 in sanctions based on the finding that father's actions were not grounded in fact and purely harassment. **CP 272.**

January 6, 2010 – Court of Appeals hears parties' Case No. 61951-9-1 without oral arguments.

January 11, 2010 – Court of Appeals filed opinion denying all father's appeal issues on Case No. 61951-9-1.

April 2, 2010 – Commissioner Jeske heard mother's *Motion to Enforce Child Support* for the parties' younger daughter,

Nilea, for postsecondary costs and enters an order requiring father to contribute 43.1% due in 30 days and if late, will be ordered to pay a prorated monthly amount to the DCS, filed April 28, 2010. **CP 273-279.**

May 6, 2010 - Father filed a *Motion for Clarification* on above order. **CP 280-281.**

May 28, 2010 – Due to father's dissatisfaction with the response from Superior Court, father filed another Notice of Appeal to the Court of Appeals regarding Commissioner Jeske's order. **CP 282-284.**

III. Argument

On 2/20/2009, during oral arguments Commission Louden heard evidence of the abusive / harassing nature of the relationship between father and daughter and the reason he denied father full access to daughter's academic records. Commissioner Louden ruled that a copy of daughter's unofficial transcripts would suffice as proof of 'good academic standing.' Mother has sent father his daughter's transcripts as well as quarterly tuition statements that clearly delineate loans, grants and scholarships awarded for every quarter.

In 2009, when mother began representing herself Pro se, she made more than 15 trips to the courthouse to file legal documents and attend court hearings all of which required time / wage loss from work due to

father's failure to comply with prior court orders. This extensive amount of time did not include any time spent drafting the numerous legal documents. An accounting of the wage loss from work was submitted in mother's July 24, 2009 motion before Commissioner Sassman. **CP 32**.

The cost and sanctions awarded were in response to this document, a review of the record and an attempt to stop father's continued abuse of the legal system. Judge Doerty's award of additional sanctions on father's appeal of Commissioner Sassman's order was another attempt to stop father's continued abuse of the legal system.

Mother has not received any of the court ordered attorney fees, costs or sanctions. Thus, mother hired a law firm to garnish father's wages; she was told it would cost $400. However, by the end of 2009, mother had paid almost $2,000 secondary to father's usual and customary manipulative nature only to be told she would then have to hire a California attorney to convert the Washington orders into California orders before the Sheriff could serve father's employer(s). Mother could not afford to continue this pursuit.

The parties' daughter, Jacquelyn, was an honor student throughout High School and made the Dean's List after her first quarter at the University of Washington. She has continued on the Dean's List ever since. She applied for scholarships and continues to do so. She applies online and hits a "submit" button and they are sent without a paper copy

available to send father. Regardless, any and all scholarships, loans and grants awarded would appear on her tuition statement which has been provided to father with his monthly invoices. She has received the maximum amount of undergraduate student loans.

Throughout all father's revisions, motions for reconsideration and appeals his arguments have not changed. Father continues to argue that the court has failed to consider RCW 26.19.090(4) and his right to all academic records. All the Superior Court Judges and Commissioners have heard this argument and granted mother's motions.

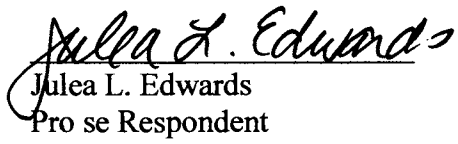
Additional abuse over the past two years includes father filing a bar complaint against mother's attorney (denied) and motions for hearings with DCS, all unseccessful. Molly B. Kenny, mother's former attorney, graciously represented mother in the first COA matter (61951-9-1) pro bono because she is extremely kind and generous and outraged over a fellow attorney discrediting her profession and the judicial system.

IV. Conclusion

Thus, given this brief review of father's abusive and harassing actions in the legal system, mother asks to court to affirm the orders for costs and sanctions. Mother would also ask the court to impose a payment plan for father, if possible. Mother also implores the court to take action that prevents father's continued abuse of the court's and mother's time and resources by dismissing father's newest COA matter, Case No. 6555-5-1.

Thank you or your patience with my pro se status and time needed to learn about the Rules of Appellate Procedure as well as your thoughtful consideration in this matter.

Respectfully submitted this 28th day of June, 2010.



Julea L. Edwards
Pro se Respondent

VI. Declaration of Receipt and Mailing

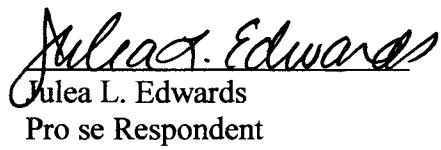
Julea L. Edwards declares and states as follows.

1. I am the Respondent herein, am competent to testify and make this declaration based upon personal knowledge.

2. Julea Edwards mailed Respondent's original brief with a copy to Washington State Court of Appeals, Division One, One Union Square, 600 University Street, Seattle, WA 98101 and mailed a copy to Appelant: Lawrance A. Edwards, PO Box 17713, Irvine, CA 92623.

I declare under penalty of perjury under the laws of the State of Washington that the above is true and correct.

DATED at Bothell, WA this 28th day of June, 2010.



Julea L. Edwards
Pro se Respondent