

# Will disbarred lawyer 'Zamboni John' Scannell make it to the ballot?

By JORDAN SCHRADER

Staff writer

The News Tribune

June 2, 2014 Updated 20 hours ago

[A challenger to state Supreme Court Justice Debra Stephens](#) may have to defend himself in court to stay on the November ballot.

As much as it would be a roadblock for the challenger, disbarred lawyer John Scannell, it's also an opportunity.

Going to court would allow him to revisit his arguments that his disbarment was invalid.

"I felt like the best way to challenge this was to run for office," Scannell said. He could have done it by practicing as a lawyer as a kind of civil disobedience, he said, but at 56, he doesn't feel like sitting in jail.

Under the Washington constitution, judges must first be lawyers admitted to practice in state courts.

Scannell isn't.

A 2010 order authored by Stephens upheld his disbarment by a disciplinary board of the Washington State Bar Association.

The law is clear cut, said John Strait, a Seattle University Law School professor. "I don't see how he's going to make it on the ballot if he's still disbarred," Strait said.

For now, his name is on the ballot, including his "Zamboni" nickname. Scannell was known for years as the Zamboni driver at Seattle hockey games, famous for a while as the guy who made it look like he bit the head off a raw fish thrown onto the ice.

But there is precedent for a judicial candidate being removed from the ballot. It happened in 2006 when a court ordered the removal of Ernest Edsel, a Court of Appeals candidate from Clark County.

Someone had challenged his eligibility based on a law saying Court of Appeals candidates must have practiced law in Washington for five years.

Scannell's removal would require a legal challenge.

Stephens' campaign manager said her campaign won't challenge him. "But from what we understand, there are some attorneys out there who are looking into doing this," Jake Faleschini said, "just simply because they think it's not right for the voters to have a non-choice choice."

If Scannell were to win, Faleschini said, Gov. Jay Inslee would have to appoint a new justice.

Scannell says his disbarment was invalid -- mainly because one of the reasons the bar started investigating him in 2005 involved a case in Virginia. That's outside of Washington courts' jurisdiction, he said.

Scannell's sanctions didn't come directly because of that accusation, which was dismissed, or another charge involving conflicts of interest. Instead, he was disbarred for obstructing the bar association's investigation.

Since then, he has taken the bar association and the justices to federal court over their handling of the case, while also trying to keep his right to practice law in federal court.

While he has mostly faced defeats and setbacks, Scannell did notch a notable victory when the U.S. Ninth Circuit Court of Appeals decided not to disbar him from practicing law before that court. Instead, it suspended him for two years.

He was reinstated in 2012 and said he is back to practicing law before the Ninth Circuit.

Read more here: <http://www.thenewstribune.com/2014/06/02/3224225/disbarred-lawyer-zamboni-john.html?sp=/99/289/&ihp=1#storylink=cpy>