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From: Constance Locklear [mailto:constance@thecascadelegal.com]
Sent: Tuesday, April 20, 2021 8:30 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment against proposed amendment to CR71

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Good morning,

It has come to my attention that there is a proposal currently pending before the Supreme Court to amend Civil Rule 71. The proposed Amendment would allow Judges to prevent attorneys from withdrawing within 90 days of trial (among other things). As stated in the GR9 "disclosure statement," this proposal is supported by the Superior Court Judges Association (SCJA) with the stated purpose of: (a) reducing judicial inconvenience, (b) avoiding disordered dockets, and (c) protecting pro se litigants from undue prejudice.

It is extremely distressing that convenience for one person should be had at the expense of another paying their rent. I have been practicing family law for over six years. In an effort to support clients, I have stayed on cases long after the money ran out, and, despite being at firms with several attorneys to help spread the loss, I still came very close to being evicted because almost all of my billable hours were going unpaid. I just started my own firm with a focus on family law, and the prospect of this amendment is terrifying. Clients do not pay their bill after trial, and going after them for fees would only garner a bar complaint.

No one should have to work for nothing, even if that means that a Superior Court Judge is inconvenienced. If the court truly wanted to avoid last minute withdrawals and motions for continuance, then the ADR deadline should not be after ER 904's are due.

I can understand not allowing withdrawals after trial has begun, but there should be no rule that compels an attorney into financial ruin because they are trying to work with the client to give them as much time as possible to gather the required trial retainer.

I hope our honorable Supreme Court Justices take these comments to heart from a young attorney trying to strike out on her own.

Thank you for your time,
Constance

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