

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: Comment on proposed amendment to Civil Rule 71
Date: Friday, April 16, 2021 10:03:02 AM

From: Heather Forrler [mailto:Heather@clsps.net]
Sent: Friday, April 16, 2021 10:00 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: RE: Comment on proposed amendment to Civil Rule 71

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Dear Clerk of the Court,

I have reviewed the letter from the Domestic Relations Attorneys of Washington (D.R.A.W.) outlining significant concerns about portions of the proposed amendments to CR 71. I fully agree with their position. Additionally, and specifically joining their eighth point, I practice in Kitsap County where trial is set after a mandatory settlement conference if all matters are not settled. The trial date is usually within 90 days, give or take, of the settlement conference. If attorneys are required to withdrawal no less than 90 days prior to the trial date, further negotiations may be significantly hampered. I have many cases that settle in the months following the settlement conference, in part because the parties wish to avoid the cost (in time, stress, and money) of trial. There are many reasons an attorney would be compelled to withdrawal from a case after the settlement conference but before the trial. The withdrawal could easily put the newly unrepresented party at significant disadvantage. Two such ways include having to find, hire, and educate a new attorney for the case; or attempt to negotiate further on their own if the other attorney will not communicate about the case with a consulting attorney.

The requirement to withdrawal 90 days, or more, before a trial, or not at all, is not a one-size-fits-all solution and there are other provisions to prevent a party from being disadvantaged by having their attorney withdrawal too close to the date of trial.

Again, I support all eight points made by DRAW and ask that they be seriously considered before making changes to Civil Rule 71.

Thank you for your time and attention to this matter.

Be well,

Heather E. Forrler
Managing Attorney
COMPASS LEGAL SERVICES, P.S.

www.CLSps.net

360.471.3300 phone

360.824.7388 fax

9481 Bayshore Drive NW, Suite 202

Silverdale, WA 98383

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We thank you for your understanding and wish you well during these times.

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