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From: John Groseclose [mailto:john@gsjoneslaw.com]
Sent: Tuesday, April 20, 2021 8:57 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
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I am not certain that the wording of the rule will be overall helpful to family law attorneys and perhaps more importantly to the clients.

I have been doing work in family law for almost 20 years. The other type of work I do most commonly is on a contingency fee basis. In those cases, I do things that protect client's rights and advocate and a lot of times, the particular case I am doing those actions in may not financially benefit our firm, but, does help the client. In family law, my clients pay for time. Experience matters and for many things, my experience allows me to advocate perhaps more cost effectively than someone else.

I practice in multiple counties. There seems to be a disparity in what attorneys think they need to do that differs from county to county. Additionally, the rules that vary from county to county have an impact. The predominate county that I do work in is Kitsap. We have a settlement conference requirement. The trial is set if there is an unsuccessful settlement conference. It would be my belief that many cases settle at this stage and that many trials are set within 90 days of the settlement conference. The new proposed rule – seems like if you are going to create a timeline that it should be closer to trial.

The current rule already has an objection mechanism. I in fact have had trials in which the opposing attorney asked to withdraw and was denied permission. If I had to characterize the issue – it is because the withdrawal was too close to the trial date. But, 90 days is not particularly close. Especially given that no court I practice in can actually guarantee that a judge will be available on the scheduled

date of trial.

I am not opposed to taking a look at the issue. One of the real problems of the rule is when a client asks you to CEASE all work and fires you. Most attorneys jiggle with the wording on CR 71 because the rule does not address this topic. If you want to really fix something, perhaps a look at that portion of the rule.

John Groseclose, WSBA#29104

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