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Subject: FW: Opposition to Proposed Amendment to CR 71
Date: Thursday, April 22, 2021 10:40:31 AM

From: Trevor Zandell [mailto:tzandell@phillipsburgesslaw.com]
Sent: Thursday, April 22, 2021 10:17 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Opposition to Proposed Amendment to CR 71

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Dear Court:

I am a civil litigation practitioner, WSBA #37210. I oppose the proposed amendment to CR 71. Prohibiting attorneys from withdrawing without judicial approval within 90 days of trial would sometimes force practitioners to continue serving a client who was not paying his/her bills. Not only could that have unfair and potentially devastating financial consequences for practitioners, it could also affect client service if there is a disgruntled attorney forced to represent an unpaying client. I also expect that if this amendment were adopted, in order to avoid not getting paid, attorneys would in some cases require their clients to make very large advance fee deposits once a case got to close to the point of 90 days before trial. This could actually result in more withdrawals for clients who are not able to make those deposits.

Current Rule 71 already allows parties, including an attorney's own client, to object to a notice of intent to withdraw. If that occurs, court approval of the withdrawal is required. I believe this procedure provides protection for the rare instances in which an attorney should not be permitted to withdraw in a civil case. Also, an attorney could face sanctions/discipline from the WSBA under RPC 1.16 if he/she withdrew from a case inappropriately within 90 days of a

trial date.

I respectfully request the court reject the proposed amendment to CR 71.

Sincerely,
Trevor Zandell

Trevor A. Zandell

Partner

tzandell@phillipsburgesslaw.com | [website](#) | [v-card](#)

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We have moved! Our Olympia office is now located at: 111 21st AVE SW, Olympia, WA 98501 | 360.742.3500

Tacoma physical address: 915 S. I Street, Tacoma, WA 98405 | Tacoma mailing address: PO Box 5496 Tacoma, WA. 98415 | 253.292.6640



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