

July 21, 2021

Via Email

The Honorable Steven C. González
Chief Justice
Washington Supreme Court
415 12th Ave SW
Olympia, WA 98501

Mailing: PO Box 40929
Olympia, WA 98504-0929

RE: Proposed Adoption of RDI Rules for Discipline and Incapacity

Dear Chief Justice:

As a lawyer who volunteers regularly with domestic violence survivors, and who is setting up a non-profit to help domestic abuse survivors divorce in a safer way, I am very concerned by the proposed rules to change the disciplinary system. The Office of Disciplinary Counsel has landed on a proposal that will be very hurtful to lawyers who work with domestic violence survivors.

Almost every accused partner in a domestic violence hearing threatens a bar complaint against the other lawyer. Many follow through. I've personally had a situation where, in what I believe was part of the cycle of abuse, a client who had been abused settled a dispute with her spouse, and then turned on me and filed a complaint alleging that I had failed to properly advise her and "charged for advice that (she) didn't need." I've also been warned repeatedly by women I'm trying to help that their husband has said he plans to stalk me or "make (my) life hard." An abuser always wants to isolate their target. The lawyer who's trying to support someone escaping abuse often becomes collateral damage.

The proposed rules would increase my insurance and cost me extra time. I could lose my license if I ever have a bad day and miss an email from ODC (and like most of us I now have dozens of important emails that I need to respond to every day – it's easy to miss one).

I've helped about 200 domestic violence survivors in Washington, all pro bono. I can't continue to offer these resources for free if it will cost my license. It's also discouraging to feel like helping domestic violence survivors is at odds with the mainstream of the profession. ODC set up a system that will bring revenue to ODC without, it would seem, considering the negative externalities that could be caused by their proposed changes.

Please ask ODC to follow a more regular process with input from people who will be affected, and please delay the implementation of any rules until the lawyers who are

working with vulnerable populations can be considered and protected.

Thank you and take care,

/s/ Elizabeth Steen
Divorce Without Court PLLC
2743 California Ave SW, Suite 100
Seattle, Washington 98116
206-747-3029
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From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: Comment on proposed Disciplinary Changes
Date: Friday, July 16, 2021 1:01:23 PM
Attachments: [Letter to Gonzalez in re ODC Changes.pdf](#)

From: Elizabeth Steen [mailto:esteen@wscollablaw.com]
Sent: Friday, July 16, 2021 12:50 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: FW: Comment on proposed Disciplinary Changes

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Thank you for providing an opportunity to comment. See below and attached.

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