



Joshua M. Moultray, esq.  
Wesley C. McMahon, esq.



March 9, 2020

Washington State Supreme Court  
PO Box 40929  
Olympia WA 98504-0929

RE: Please do not enact new RDI

To the Washington State Supreme Court,

I have been a lawyer in Washington for the past 11 years. I have enjoyed the privilege immensely. During this time I have worked hard to practice ethically and never violate the Rules of Professional Conduct. Nevertheless, I have received a total of 3 bar complaints during this time. They were all frivolous and eventually dismissed, from the one where I was called a puff marshmallow man with an article about all Jews being racist, to one filed by a former client over a personal dispute having nothing to do with the alleged conduct, to the one filed by an opposing party who filed, no joke, thousands of pages of irrelevant materials accusing me of lying to a court where the Judge said on record I did not mislead the Court. In all of these cases I knew that the rules were there to ensure a FAIR outcome and I would ultimately be exonerated.

The rules as proposed eliminate that very outcome, the one where the lawyer is vindicated and forever relieved of the charges. This is vital. Without this I would be left in limbo, always stressed that the other shoe may drop at any time. (trust me, it is stressful, expensive and time consuming dealing with a bar complaint). Had the finality not been an option I fear that any, if not all, of the complaints I received would have continually been brought back up by the claimants with the hope that submitting even more documents would eventually persuade the ODC to reopen the investigation—as would be possible under the proposed RDI.

I was fortunate enough to retain Anne Seidel as my lawyer, who formerly worked for ODC, when I was faced with having to defend myself. I hold her opinion in high regard and believe that her reputation precedes her. The fact that Ms. Seidel is against these rules should be telling as to how poorly written they are!

If you have not already I highly encourage you to review her article, which I have attached, about her concerns with the proposed RDI. Her opinion matters; she has more experience on both sides of the lawyer complaint process than almost anyone nationwide—certainly more than anyone else I have ever heard of, including each of you.



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I encourage you to decline to enact these proposed rules and work with the legal community to make any changes that are necessary to either the proposed rules or the current rules, changes that will ensure fair and final outcomes for everyone involved and that will not have a disproportionate impact on lawyers in fields with more complaints or on minority groups—changes that take input from all stakeholders—not conveniently drafted by the very office that is tasked with enforcing them.

Thank you for your time,

A handwritten signature in blue ink, appearing to read 'Josh Moultray', with a long horizontal flourish extending to the right.

Joshua Moultray

#42983

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