

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: Prohibiting withdrawal 90 days before trial
Date: Friday, April 16, 2021 7:59:12 AM

From: Sandra Johnston [mailto:sejohnst47@gmail.com]
Sent: Thursday, April 15, 2021 6:25 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Prohibiting withdrawal 90 days before trial

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

It has come to my attention that there is a proposal currently pending before the Supreme Court to amend Civil Rule 71. The proposed Amendment would allow Judges to prevent attorneys from withdrawing within 90 days of trial (among other things). As stated in the GR9 "disclosure statement," this proposal is supported by the Superior Court Judges Association (SCJA) with the stated purpose of: (a) reducing judicial inconvenience, (b) avoiding disordered dockets, and (c) protecting pro se litigants from undue prejudice.

While I understand what might be convenient for Judges, would losing their homes also be convenient for them? I have seriously lost my shirt on some cases and almost lost my home and business when I did not withdraw before trial on a case where a client owed me money and then had a protracted trial.

Post trial, in 20+ years of practice, one person paid his bill after his case was over. O N E. The others all split - some filing bankruptcy and others just bailing on their bill. Suing a former client or sending them to collections will definitely draw a complaint which is never worth it. So time after time I took a bath on trial fees until I almost lost my home.

So my fee agreement states that I will withdraw, even on the eve of trial, if their trial fee has not been tendered to their IOLTA.

No one should have to work for nothing, even if that means that a Superior Court Judge or his/her docket is "inconvenienced." I shudder to think what such a ruling would do to a young lawyer in a new practice.

I can understand not allowing withdrawals AFTER trial has begun, but there should be no rule that compels an attorney into financial ruin because they are trying to work with the client to give them as much time as possible to gather the required trial retainer (also contained in my fee agreement).

I hope our honorable Supreme Court Justices take these comments to heart from just a small town country lawyer and thank you for your time.

Respectfully,

Sandra E. Johnston
Attorney At Law
Sent from my iPhone