

**ELC 10.4
NOTICE TO ANSWER**

(a) **Content.** The notice to answer must be substantially in the following form:

BEFORE THE DISCIPLINARY BOARD OF THE
WASHINGTON STATE BAR ASSOCIATION

In re)	NOTICE TO ANSWER;
)	NOTICE OF HEARING OFFICER;
_____,)	NOTICE OF DEFAULT PROCEDURE
Lawyer.)	

To: The above named lawyer:

A formal complaint has been filed against you, a copy of which is served on you with this notice. You are notified that you *must* file your answer to the complaint *within 20 days of the date of service on you*, by filing the original of your answer with the Clerk to the Disciplinary Board of the Washington State Bar Association, [insert address] and by serving one copy on the hearing officer if one has been assigned and one copy on disciplinary counsel at the address[es] given below. Failure to file an answer may result in the imposition of a disciplinary sanction against you and the entry of an order of default under rule 10.6 of the Rules for Enforcement of Lawyer Conduct.

Notice of default procedure: Your default may be entered for failure to file a written answer to this formal complaint within 20 days of service as required by rule 10.6 of the Rules for Enforcement of Lawyer Conduct. The entry of an order of default will result in the allegations and violations in the formal complaint being admitted and established and discipline being imposed or recommended based on the admitted charges of misconduct. If an order of default is entered, you will lose the opportunity to participate further in these proceedings unless and until the order of default is vacated on motion timely made under rule 10.6(c) of the Rules for Enforcement of Lawyer Conduct. The entry of an order of default means that you will receive no further notices regarding these proceedings except those required by rule 10.6(b)(2).

The hearing officer assigned to this proceeding is: [insert name, address, and telephone number of hearing officer.]

Dated this _____ day of _____, 20____.

Disciplinary Counsel, Bar No.
Address: _____
Telephone: _____

(b) **Notice When Hearing Officer Not Assigned.** If no hearing officer has been assigned when a formal complaint is served, disciplinary counsel serves the formal complaint and a notice to answer as in subsection (a), but without reference to the hearing officer.

[Adopted effective October 1, 2002; Amended effective January 1, 2014.]