

COLUMN

Whatever happened to "zeal"? / p. 18

FEATURE

The IRS clarifies theft-loss relief / p. 34

FEATURE

Law Rocks Seattle: 2025 winner / p. 42

BarNews

WASHINGTON STATE

THE PUBLICATION OF THE WASHINGTON STATE BAR ASSOCIATION



LET'S TALK ABOUT #LAWTOK

How TikTok is revolutionizing the pathway to legal practice / p. 38



DEC. 2025/JAN. 2026
VOL. 80, NO. 1



www.Connelly-Law.com | 253.593.5100
Offices in Tacoma, Seattle & Spokane
Info@connelly-law.com



*We are proud to congratulate our Attorneys,
Nathan Roberts and Dalia Ibrahim, on their 2025 WSAJ awards and the
hard work, commitment and dedication they provide to serving our clients.*



NATHAN P. ROBERTS
TRIAL LAWYER OF THE YEAR



DALIA IBRAHIM
NEW LAWYER READY TO SOAR

TRUTH | JUSTICE | ACCOUNTABILITY | EQUAL ACCESS



DAVIS LAW GROUP, P.S.[™]

SERIOUS INJURY & WRONGFUL DEATH ATTORNEYS



Attorney Chris Davis

Davis Law Group is headed by founder and principal attorney, Chris Davis. For the past 30+ years, **Davis Law Group** has excelled by offering superior client service and achieving substantial verdicts and settlements (including several in many difficult and high-risk cases that other attorneys turn down).

We routinely accept attorney referrals and associations. **We offer generous fee sharing terms to other lawyers in compliance with RPC 1.5(e).** If you need to refer or associate on a case, the proven litigation experts at **Davis Law Group** should be your first call. To refer a case, or learn more, you can use the QR code, or call our office at the number below.

Some of our **BIGGEST** cases have been resolved through litigation, including:

- \$14 M airport workplace injury
- \$11 M verdict wrongful death in rehab facility
- \$10 M for bicyclist crashing into bollard
- \$8 M wrongful death DUI crash
- \$5 M MVA & TBI auto collision
- \$5 M motorcyclist & car collision
- \$4.55 M pedestrian vs. cyclist TBI
- \$4 M wrongful death in street sweeper incident
- \$4 M pedestrian vs. MVA
- \$4 M dental malpractice

Case Types We Handle:

- Wrongful Death
- Car & Trucking Accidents
- Pedestrian & Cycling Accidents
- Dog Bites & Attacks
- Government Negligence
- Professional Negligence
- Law Enforcement Negligence
- Construction & Workplace Accidents
- Insurance Bad Faith & IFCA

Contact us today for referral information



- \$4 M wrongful death - building vs. truck
- \$4 M wrongful death T-bone collision
- \$3.8 M car collision into parked truck
- \$3.75 M wrongful death truck collision
- \$3.45 M DOC negligence
- \$2.5 M UIM bad faith & IFCA violations
- \$2.5 M wrongful death motorcyclist
- \$2.3 M TBI & drunk driving crash
- \$2.2 M ride share & pedestrian collision
- \$2.0 M trip & fall outside of retail store

BE PART OF THE FUTURE OF PUBLIC DEFENSE AT KING COUNTY DPD

47 lawyers from 23 law schools across 14 states and 1 shared mission.

At King County DPD, we're working to transform public defense into a sustainable career. We are committed to recruiting the best new and experienced public defenders. This year, DPD began a phased-in reduction of caseload limits grounded in the landmark 2023 National Public Defense Workload Study.



Benefits of Working at DPD

- Client-centered representation, including skilled, in-house mitigation specialists and investigators
- Criminal and dependency caseload limits
- Robust funding for expert services
- Ongoing training and development
- ✓ Salary range: \$103,272 - \$163,621
- ✓ Comprehensive medical benefits
- ✓ Strong union workplace
- ✓ Well-funded and secure pension
- ✓ Supportive and inclusive workplace

CONSIDERING RELOCATING TO THE PROGRESSIVE PACIFIC NORTHWEST?



Join a mission-driven, forward-thinking community



Generous leave to help support work-life balance



Incorporating modern advances in technology to support defense teams

DPD is committed to high hiring standards. Candidates should have at least two years of experience in criminal practice, civil litigation, or a judicial clerkship. The strongest candidates will have completed jury trials through verdict.



BE A PART OF THE CHANGE

Visit kingcounty.gov/dpd/jobs or email dpd-hr@kingcounty.gov
Equal opportunity employer



King County

Department of
**PUBLIC
DEFENSE**

On the Docket

WASHINGTON STATE BAR ASSOCIATION • DEC. 2025/JAN. 2026

FEATURES

26

AFFINITY BAR SPOTLIGHT South Asian Bar Association of Washington

→ BY SHASHI VIJAY AND
SMITHA GUNDAVAJHALA

28

PRO BONO ORGANIZATION OF THE MONTH In Conversation with Tacomaprobono Community Lawyers

→ Q&A WITH LAURIE
DAVENPORT



31

What They Gave Each Other

What happened when
a lawyer connected two
clients with similar cases

→ BY TYLER GOLDBERG-HOSS



COVER
STORY

38

#LawTok U: How TikTok is Revolutionizing the Pathway to Practice

→ BY RACHEL HAY

34

Deceived and Deductible: The IRS Clarifies Theft-Loss Relief

→ BY MANOGNA VADDIRAJU
AND DIANDRA ZUNIGA

42

Washington Lawyers Turn Up the Volume at Law Rocks Seattle

→ BY NOEL S. BRADY

COLUMNS

- 4 **Editor's Note**
Let's Talk LawTok
BY KIRSTEN LACKO
- 12 **The Bar in Brief**
Community as
Essential Self Care
BY TERRA NEVITT
- 15 **President's Corner**
Looking Backward
and Looking Forward
BY FRANCIS A. ADEWALE
- 16 **Guest Column**
Heroes of Justice
BY HUNTER ABELL
- 18 **Ethics & the Law**
Whatever Happened
to Zeal?
BY MARK J. FUCILE
- 22 **Innovation in Law**
Reforming Evidence
BY JORDAN L. COUCH

ESSENTIALS

- 7 Inbox
- 11 NWSidebar: There's
More on the Blog
- 47 On Board
- 48 Need to Know
- 53 In Remembrance
- 55 Discipline & Other
Regulatory Notices
- 56 Marketplace of Professionals
- 63 Classifieds
- 64 Beyond the Bar Number:
Tanesha La'Trelle Canzater

CALLOUT TO READERS

Answer Our Q&A

If you'd like to see yourself on
the last page of an issue of *Bar
News*, let us know! We would
love to send you a questionnaire.
wabarnews@wsba.org.

Let's Talk LawTok

I have never once set foot (fingertip?) on TikTok. It's always felt, as the kids say, like none of my business. But that doesn't mean I don't find it fascinating—how people use the app to share ideas and build audiences for all sorts of content including cooking tutorials, home renovation tips, cute dogs, and ASMR. This issue's cover story discusses a relatively new (to me) category of TikTok users: "lawfluencers." These savvy law students and legal practitioners dissect cases, offer LSAT tips, and provide fashion advice to hundreds, thousands, and sometimes even hundreds of thousands of viewers. Learn more about #LawTok, and the ways in which it is impacting legal education, on page 38.

Kirsten Lacko is the editor of *Washington State Bar News* and can be reached at kirstenl@wsba.org.



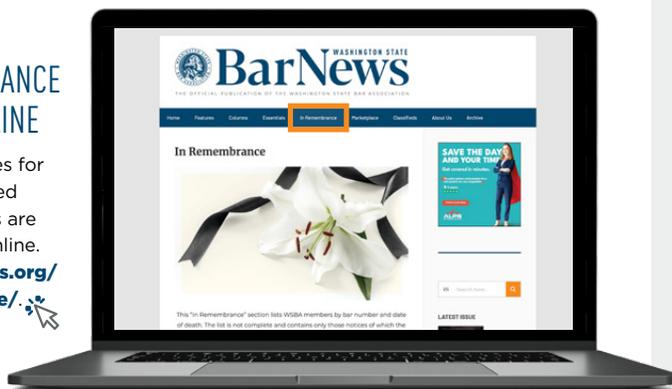
ON THE COVER
Staff illustration;
source illustrations
© Getty/Paper Trident

Also in this issue: a recap of the 2025 Law Rocks battle of the bands event in Seattle (page 42); a discussion of a new IRS memo and real-world examples illustrating how it applies to tax clients who lost money in scams (page 34); a heartwarming story of a lawyer's clients helping one another (page 31); an affinity bar spotlight on the South Asian Bar Association of Washington (page 26); an ethics column

on what happened to "zeal" in Washington's professional rules (page 18); an innovation column examining the rules of evidence (page 22); and a Pro Bono of the Month feature highlighting Tacomaprobono Community Lawyers (page 28). **BN**

IN REMEMBRANCE SECTION ONLINE

Longer obituaries for recently deceased WSBA members are now available online. www.wabarnews.org/in-remembrance/



The WSBA's Official Members' Magazine

Washington State Bar News will inform, educate, engage, and inspire by offering a forum for members of the legal community to connect and to enrich their careers.

All opinions, statements, and conclusions expressed in submitted articles, editorial comment, and letters to the editor appearing herein represent the views of the respective authors and do not necessarily carry the endorsement of the WSBA, its Board of Governors, or individual members of the Washington Bar. Publication of articles, editorial comments, or letters to the editor is not to be deemed an endorsement of the opinions, statements, and conclusions expressed by the author(s). Likewise, the publication of any advertisement is not to be construed as an endorsement of the product or service offered unless it is specifically stated in the ad that there is such approval or endorsement.



PUBLISHED BY THE

WASHINGTON STATE BAR ASSOCIATION

1325 Fourth Ave., Ste. 600
Seattle, WA 98101-2539

EXECUTIVE DIRECTOR
Terra Nevitt
206-727-8282
terran@wsba.org

WASHINGTON STATE BAR NEWS EDITOR
Kirsten Lacko
206-239-2127
kirstenl@wsba.org

WASHINGTON STATE BAR NEWS DESIGNER
Jessica Randklev
206-727-8214
jessicar@wsba.org

Washington State Bar News Contact Information

QUESTIONS/SUBMISSIONS **wabarnews@wsba.org**

LETTERS TO THE EDITOR **wabarnews@wsba.org**

IN REMEMBRANCE SUBMISSIONS **wabarnews@wsba.org**

WASHINGTON STATE BAR NEWS ONLINE
www.wabarnews.org

Washington State Bar News is published nine times a year by the Washington State Bar Association, 1325 Fourth Ave., Ste. 600, Seattle, WA 98101-2539, and mailed periodicals postage paid in Seattle, Washington (ISSN 2690-1463). For inactive, pro bono, and honorary members, a free subscription is available upon request (contact subscriptions@wsba.org). A portion of each member's license fee goes toward a subscription. For nonmembers, the subscription rate is \$36 a year. Washington residents, please add sales tax; see <https://webgis.dor.wa.gov/taxratelookup/SalesTax.aspx> for sales tax rate.

POSTMASTER: SEND CHANGES OF ADDRESS TO:

Washington State Bar News
Washington State Bar Association
1325 Fourth Avenue, Suite 600,
Seattle, WA 98101-2539

© 2025 by Washington State Bar Association.



MARK LINDQUIST LAW



VOTED **BEST** 2 YEARS IN A ROW!
OVER **\$55 MILLION** WON IN 2 YEARS

VOTED BEST
2024 and 2025
Personal Injury Law Firm

Mark Lindquist Law represents victims and their families in cases of wrongful death or serious injury.

- » Aviation Cases
- » Sexual Assault
- » Government Negligence



206-333-0773
MarkLindquistLaw.com



As discussed with 60 Minutes, Mark successfully represented victim families in the two Boeing 737 Max 8 crashes and currently represents victims in the Alaska Airlines door plug blowout on a Max 9.



Raise a toast!
To the new UW School of Law's Paul Stritmatter Endowed Professorship in Trial Advocacy



Justice for Asbestos Victims



Myles Crandall | Hallie Conyers-Tucker | Ruby Aliment | Debbie Silberman | Rachel Moore
Brendan Little | Chandler Udo | Vanessa Oslund | Erica Bergmann | Tyler Beckum



**OSLUND
UDO
LITTLE**

Over \$1 Billion Recovered For Our Clients

Accepting Referrals

206.957.9510 – Contactus@oslundlegal.com

www.oslundlegal.com

Nationally recognized mesothelioma trial lawyers in your backyard.

WSBA Board of Governors

PRESIDENT	Francis Adewale
PRESIDENT-ELECT	Kari Petrsek
IMM. PAST PRESIDENT	Sunitha Anjilvel
1ST DISTRICT	Parvin Price
2ND DISTRICT	Kari Petrsek
3RD DISTRICT	Allison Widney
4TH DISTRICT	Mary M. Rathbone
5TH DISTRICT	Emily Arneson
6TH DISTRICT	Todd A. Bloom
7TH-NORTH DISTRICT	Matthew Dresden
7TH-SOUTH DISTRICT	Alain Villeneuve
8TH DISTRICT	Kristina Larry
9TH DISTRICT	Kevin Fay
10TH DISTRICT, TREASURER	Nam Nguyen
AT-LARGE (DIVERSITY)	Christopher Bhang
AT-LARGE (DIVERSITY)	Tom Ahearne
AT-LARGE (YOUNG LAWYERS)	Jordan L. Couch

2024-2025 WSBA Editorial Advisory Committee

CHAIR	Benjamin Gould
MEMBERS	Evelyn Emanuel
	Allison Rone Foreman
	Nicholas Marler
	Priscilla Moreno
	Susan Moss
	Robert Philbrick
	Suellen Siqueira-Fisher
	Leron Vandsburger
	James Wade III
	Thomas Williams
	David Ziff

WSBA Contact Information

WSBA SERVICE CENTER	800-945-WSBA (9722) 206-443-WSBA (9722) questions@wsba.org
WSBA WEBSITE	www.wsba.org
WSBA ONLINE STORE	www.wsba.org
WSBA ETHICS LINE	206-727-8284 800-945-9722, ext. 8284
WSBA MEMBER WELLNESS PROGRAM	206-727-8267 wellness@wsba.org
WSBA PRACTICE MGMT. ASSISTANCE	800-945-9722, ext. 5914
NWSIDEBAR, THE WSBA BLOG	206-733-5914 blog@wsba.org nwsidebar.wsba.org
WSBA CAREER CENTER	jobs.wsba.org

BarNews

Washington State Bar News Submission Guidelines

Washington State Bar News relies on submissions from WSBA members and members of the public that are of interest to readers. Articles should not have been submitted to any other publications and become the property of the WSBA. Articles typically run 1,000–2,500 words. Citations should be incorporated into the body of the article and be minimal. Please include a brief author's biography, with contact info, at the end of the article. High-resolution graphics and photographs (preferably 1 MB in size) are requested. Authors should provide a high-resolution digital photo of themselves with their submission. Send articles to wabarnews@wsba.org.

The editor reserves the right to edit articles as deemed appropriate. The editorial team may work with the writer, and the editor may provide additional proofs to the author for review.

Washington State Bar News Advertising

To purchase Display Ads, Announcements, and Marketplace of Professionals listings, or to receive a media kit, contact Ronnie Jacko, Big Red M, at ronnie.jacko@bigredm.com, 503-445-2234.

Classifieds: Advance payment required. See classified page for rates, submission guidelines, and payment information. Washington State Bar News is published nine times a year with a current circulation of approximately 34,000.

Inbox

LET US HEAR FROM YOU!

We welcome letters to the editor on issues presented in the magazine. Email letters to wabarnews@wsba.org.

All opinions, statements, and conclusions expressed in letters to the editor represent the views of the respective authors and do not necessarily carry the endorsement of the WSBA, its Board of Governors, or individual members of the Washington Bar. Publication of letters to the editor is not to be deemed an endorsement of the opinions, statements, and conclusions expressed by the author(s).

Letters to the editor published in Bar News must respond to content presented in the magazine and also comply with Washington General Rule 12.2 and *Keller v. State Bar of California*, 496 U.S. 1 (1990). *Bar News* may limit the number of letters published based on available space in a particular issue and, if many letters are received in response to a specific piece in the magazine, may select letters that provide differing viewpoints to publish. *Bar News* does not publish anonymous letters or more than one letter from the same contributor per issue. All letters are subject to editing for length and grammatical accuracy.

Cool, Don't Feed the Flames

I commend and support our Bar's commitment to educating our public about the rule of law, providing civic education, and restoring civility, respect, and enhanced communication through the Rule of Law Ambassador Program (part of the national Speak Up for Justice efforts). But each of us is also facing the increasingly daunting challenge of personally and professionally navigating polarized times. Here's my attempt to distill my own reactions and methods in dealing with others whose opinions, views, values, and approaches challenge or do not resonate with my own. To



be candid, it's still a work in progress.

Lately, I've come to think of myself as a kind of human fire extinguisher; constantly pushing back against extremes, trying to douse the flames of outrage while searching for slivers of common ground. Whether it's national or local divides, I find myself standing

CONTINUED >

ATTORNEY FEE SPECIALISTS

**We can help with advice, an evaluation,
a declaration or testimony on fees.
We know the law:**

The Lodestar Method for Calculating a Reasonable
Attorney Fee in Washington, 52 Gonz. L. Rev. 1 (2017)

Gordon v. Robinhood Financial, 31 Wn. App. 2d 185, 547 P.3d 945 (2024)
Kayshel v. Chae, Inc., 17 Wn. App. 2d 563, 486 P.3d 936 (2021)
Estate of Hunter (\$2.8 million fee award in arbitration) (2019)
Easterly v. Clark County, 2 Wn. App. 2d 1066 (2018)
Arnold v. City of Seattle, 185 Wn.2d 510, 374 P.3d 111 (2016)
Bright v. Frank Russell Investments, 191 Wn. App. 73, 361 P.3d 245 (2015)

Knowledgeable ♦ Experienced ♦ Efficient

**TALMADGE
FITZPATRICK**

206-574-6661 ♦ www.tal-fitzlaw.com

YOUR APPEAL SPECIALISTS

**Employers Ins. Co. of Wausau v. Board
of Regents of Univ. of Wash.,**
2025 WL 1625553 (2025) (determining that UW had no
Covid-related property insurance coverage)

**Lionetti v. Shriram Family
Revocable Trust,**
31 Wn. App. 2d 1077, 2024 WL 3567363 (2024) (affirming
summary judgment dismissal of construction lawsuit)

Lucid Group USA v. Dep't of Licensing,
33 Wn. App. 2d 75, 559 P.3d 545 (2024)
(court rejects direct vehicle sales)

King Co. v. Friends of Sammamish Valley,
556 P.3d 132 (2024) (Court upholds rejection of
County ordinance expanding commercial activities in
agricultural/rural zones)

Hawkins v. ACE American Ins. Co.,
558 P.3d 157 (2024) (Court finds insurer was deprived of
due process in reasonableness hearing on settlement)

**CR Construction, LLC v. Sherlock
Investments, et al.,**
31 Wash. App. 2d 1084 (2024) (overturning \$1,288,620
jury verdict in a construction lawsuit)

Selim v. Fivos, Inc.,
2024 WL 3423716 (2024) (concluding that Washington,
not Egyptian, law applied in employment case)

**Gardens Condominium v.
Farmers Ins. Exchange,**
2 Wn.3d 832, 544 P.3d 499 (2024) (amicus brief for
insured on ensuing loss provision)

Hartford Fire Ins. Co. v. FC Leschi, LLC,
2024 WL 1856692 (2024) (reversing trial court
coverage, extracontractual award against insurer)

Gordon v. Robinhood Financial, LLC,
547 P.3d 945 (2024) (reversing excessive fee sanction award)

Scott v. City of Tacoma,
28 Wn. App. 2d 1050, 2023 WL 7327746 (2023)
(summary judgment for city on attenuated causation
grounds reversed)

Ebbeler v. WFG National Title Co.,
29 Wn. App. 2d 1049, 2024 WL 692684 (2024)
(reversing dismissal of contract and negligence claims
against escrow agent)

Knowledgeable ♦ Experienced ♦ Efficient

**TALMADGE
FITZPATRICK**

206-574-6661 ♦ www.tal-fitzlaw.com

Inbox

CONTINUED >

in the middle, feeling the heat from every side. Friends, classmates, family, and people I love hold strong and opposing views. The intensity is everywhere.

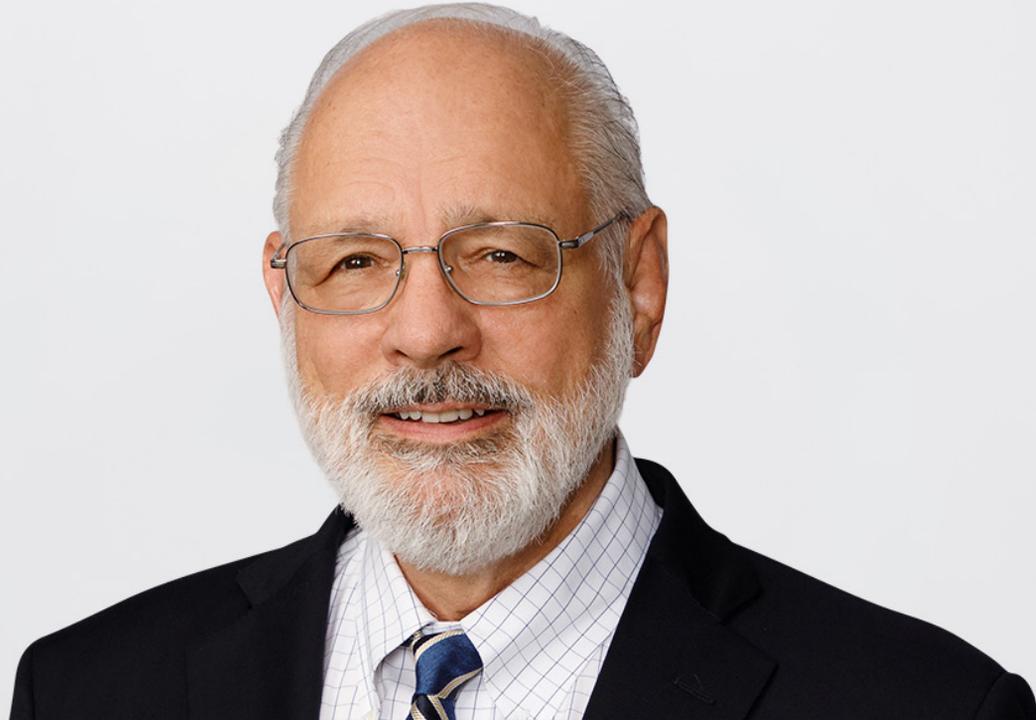
So what helps? Cool the flames, then work it off. I try to listen without interrupting, to ask questions that clarify rather than challenge. I look for small openings for empathy. I focus on what we share, not what separates us. And afterward, I run or exercise some other way—that's how I process the anger, confusion, or hurt that lingers.

I write letters to editors, send op-eds, and reach out directly to leaders with ideas or questions. I volunteer in my community, where common purpose still feels possible and conversation can flow without flaring up.

I collect stories that spark hope. I remind myself that others before us have endured darker times. As "Ethics of Our Fathers," a compilation of Jewish ethical teachings, states: "It is not your duty to finish the work, but neither are you free to desist from it."

My father, father-in-law, uncles, and cousins fought to preserve our democracy. My duty now is to keep it alive by cooling the flames, not feeding them.

Michael B. Goldenkranz
Seattle



A Teacher Always

It is with great sadness that all of us at Patterson Buchanan Fobes and Leitch recognize the passing of Principal Donald Austin on October 22, 2025, due to an aggressive form of brain cancer.

Don practiced with us for over two decades and was always a strong and calming presence. He started out his career as a teacher and coach in California public schools, so he was a natural educator. Even after becoming an attorney in 1986, Don stayed true to his deep passion for teaching and embraced school law as his focus. He served as general counsel to Districts in California before an interest in the Northwest brought him to the Puget Sound. It was here that he put down strong roots and grew his family.

Don loved the practice of law and the camaraderie of others within his craft. He sought each of us out when help was needed to share his own wisdom or to assist us as we found the answer together. With kindness, and pragmatism, he gave valuable lessons on law and on life. Over the course of five decades, Don stood before hundreds of juries, judges, school administrators, law students, and attorneys to do what he did best – **teach**.

Don was also man of deep faith. He maintained peace and calm as he transitioned from this earthly life, because, as he put it, “things are in more capable hands.” He continued to participate in Firm functions and meetings until he could no longer but his smile and laugh never faltered.

We will miss Don but his lessons will forever be held close.



**Patterson Buchanan
Fobes & Leitch Inc., P.S.**

A YEAR WITH A PURPOSE.

As we look toward 2026, we're grateful to continue the work that has defined SGB for decades, as we remain grounded in our ongoing pursuit of justice for our community.

Elizabeth Hanley Joins AAJ's Council of Presidents.



SGB attorney Elizabeth Hanley was elected as Secretary of the AAJ Presidents Council after concluding her term as 2024–25 WSAJ President.

Celebrated 17 Super Lawyers and 7 Best Lawyers.



Super Lawyers recognized 17 SGB attorneys, with two Top 100 lawyers and three Top 50 Women; and The Best Lawyers in America recognized 7 SGB attorneys.

Named a Top-Tier Firm by Best Lawyers.



U.S. News and Best Lawyers once again ranked SGB as a Tier 1 firm in its annual "Best Law Firms" ranking.

Becky Roe Honored with Lifetime Achievement Award.



SGB attorney Becky Roe was honored with WSAJ's Pillar of Justice award for her 45+ years of service to Washington's legal community.

Rocked it with The Funk Docket.



Craig Sims led the charge at Seattle's second-annual Law Rocks contest, raising critical funds to support the Academy for Creating Excellence.

Crushed it for Our Clients.



SGB secured tens of millions of dollars for clients, advancing accountability and justice in cases involving race discrimination, personal injury, sexual assault and harassment and more.

Put Our Passion to Work.



In 2025, SGB attorneys took on pro bono cases for survivors of sexual assault and trafficking, ensuring that every person has an advocate when it matters most.

Took a Seat at the Table.



SGB attorneys joined boards including WSAJ's Justice for All PAC, the Judicial Institute, and LBAW—bringing their commitment to justice and diversity to new seats of leadership.

Brain & Spinal Cord Injury | Wrongful Death | Product Liability
Employment Law | Class Actions | Medical Malpractice | Birth Injury
Sexual Assault & Harassment | Asbestos & Mesothelioma

Learn more at [SGB-Law.com](https://www.sgb-law.com)
Attorney Advertising Material

SGB SCHROETER
GOLDMARK
BENDER



NWSidebar

THE VOICES OF WASHINGTON'S LEGAL COMMUNITY

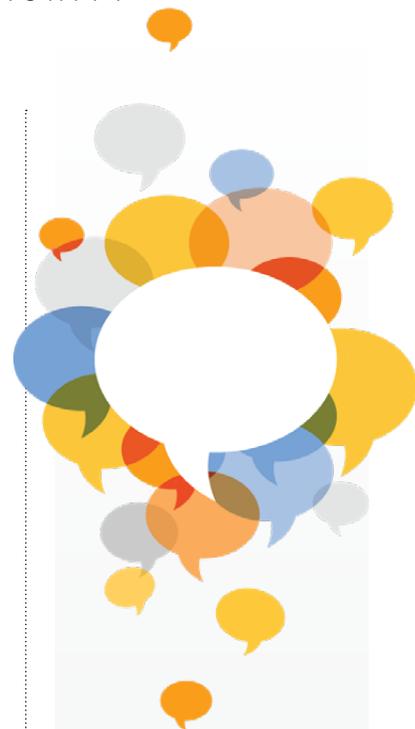
Court of Appeals Affirms Disqualification for Former Client Conflict



BY MARK J. FUCILE

The Washington Court of Appeals upheld the disqualification of a law firm in *Day v. Tacoma RV Center* due to a conflict of interest arising from a lateral hire. The court found that the cases were nearly identical, emphasizing the necessity of proper screening [...]

nwsidebar.wsba.org



TOP 8 MOST-READ BLOG POSTS OF 2025



1 Prosecutors in Washington and Beyond are Raising Alarms About Hiring and Retention Problems



5 The Legal Profession Needs Better Leaders — Not More Managers



2 Oregon Issues Ethics Opinion on AI in Law Practice



6 Alaska Adopts 'Continuous Representation' Rule for Measuring Limitation Period in Legal Malpractice



3 The Power of Active Listening for Lawyers



7 Federal Court Addresses Standing to Bring Disqualification Motion under Former Client Conflict Rule



4 Idaho Codifies 'Entire File' Approach When Withdrawing



8 New WSBA Ethics Advisory Opinion on Reporting Client Data

BLOGGERS WANTED!

Write for the WSBA's award-winning blog — NWSidebar.

CONNECT WITH THE LEGAL COMMUNITY!

If you would like more information, please contact

blog@wsba.org.

A NOTE FROM THE WSBA EXECUTIVE DIRECTOR

Community as Essential Self Care

Add connection with a voluntary bar association to your 2026 self-care plan

This new year, I want to shine a light on a health crisis that is particularly endemic in our profession: *loneliness*. We are trained to be independent problem solvers, competitive critical thinkers, and even combative advocates as we often find ourselves in adversarial positions.¹ Add to that the shift to virtual work, the impact of social media, and the deep divides in our national culture, and it's no wonder that, as a profession, we rank highest on the "loneliness scale."²

Lawyers are among the most impacted by a broad societal problem referred to in a 2023 report by U.S. Surgeon General Dr. Vivek Murthy as a "loneliness epidemic." That report details the very real health impacts linked with loneliness, including increased risk of heart disease, stroke, depression, and anxiety (just to name a few).³ The WSBA's own research indicates that Washington legal professionals are regularly impacted by stress. According to a preliminary survey report from the WSBA's Well-Being Task Force⁴ (look for the full report soon at wsba.org), almost 60 percent of respondents are burned out from their work regularly or occasionally (that leaps to 80 percent for new practitioners); and an equal amount report feeling nervous, on edge, worried, or panicked on a monthly basis (that jumps to 84 percent for new practitioners).

What's the connection between stress, burnout, and loneliness? According to Bree Buchanan, a leader in legal well-being, "social isolation results in an unfulfilled need to belong or feel connected to others which, in turn, leads to poor mental and physical outcomes."⁵ Put another way, "while loneliness, poor-quality relationships, and social negativity can aggravate stress responses and influence long-term health outcomes, being more socially connected can buffer against maladaptive stress responses and the negative health effects of stress."⁶

In other words: *Being a part of a community is critical self-care for any human, and perhaps we legal professionals need more help than most!*

Years ago, my young family and I relocated from Bangkok to Bellingham. I had a 2-year-old and a brand-new job. Sometime during my first month in town, I attended a lunch meeting of

Whatcom Women Lawyers. It was a small but mighty group that met over bagels to share challenges, laugh, and plot solutions. As the lunch was ending, one of the women approached me and said, "We're both lawyers and mothers of young kids, we should be friends." Erin Glass did become my good friend, and many other friendships blossomed from that connection. It was brave, and vulnerable, and incredibly generous what she did, and I am certain that my time in Bellingham would not have been as rich and joyful had she not reached out for connection that day.

The WSBA is deeply committed to member well-being, but I have come to accept the reality that the State Bar is not in the best position to foster true community. It's a structural reality that a statewide organization operates at a certain altitude; and it's also a reality that trust and change happen at a local, human level.

And that's where our voluntary bars come in. Voluntary bars—county bars, affinity bars, and specialty bars—are places of professional connection and uplifting. They support pro bono efforts that directly serve the most vulnerable people in their communities and give us a sense of purpose. They create space, safety, and rapport for colleagues with shared identities. They allow practitioners to pool knowledge and tackle systemic barriers in their own communities. They provide networking, mentorship, advocacy, resources, and skill-building opportunities, and so much more. In sum, they provide members with opportunities to bond over shared purpose and social events. They make a profession that can sometimes feel adversarial, hierarchal, competitive, and perfectionistic feel ... supportive and welcoming.

We are fortunate in Washington to have a rich tapestry of voluntary bar associations, and many are vibrant and thriving. Some, however, are struggling to survive—



Terra Nevitt
WSBA Executive
Director

Nevitt can be reached
at terran@wsba.org
or 206-727-8282.

Community does not happen by accident. It happens when every person takes an intentional step to join, and we are all better off for it.

LEARN MORE

New Year's Challenge—Find your community! To get connected, visit www.wsba.org/county-bars and www.wsba.org/affinity-bars. 

membership is declining and engagement is low. Traditions are collapsing because of lack of participation. Leaders who have stewarded their associations in isolation for years are saying they will hold on one more association election cycle to see if anyone steps up to take over their terms ... or they are going to dissolve their long-standing organizations.

Voluntary bars are not alone in this trend. Rates of volunteerism and engagement have dramatically declined across America since the pandemic.⁷ But we are uniquely positioned as legal practitioners to tip the “loneliness scale” in our own profession, and the first step is easy. Join. Attend. Volunteer. Reach out. There is a county bar or an affinity bar that is waiting to welcome you. They are holding CLE, networking, pro bono, and social events (many even offer free food and drinks!).

On the eve of the new year, I'm asking you to make a tried-and-true resolution but with a new focus. Make your health a priority, starting with that most foundational need: Human connection. Community does not happen by accident. It happens when every person takes an intentional step to join, and we are all better off for it.

Thank you for helping us build a more resilient legal profession. **BN**

NOTES

1. See <https://lawyerwellbeing.net/wp-content/uploads/2024/03/Bree-LBW2024-ed.2.pdf>.
2. www.abajournal.com/news/article/lawyers_rank_highest_on_loneliness_scale_study_finds.
3. www.hhs.gov/sites/default/files/surgeon-general-social-connection-advisory.pdf.
4. “WSBA Member Well-Being Survey Report Preliminary Findings Data Report,” 2025.
5. <https://lawyerwellbeing.net/wp-content/uploads/2024/03/Bree-LBW2024-ed.2.pdf>.
6. www.hhs.gov/sites/default/files/surgeon-general-social-connection-advisory.pdf.
7. www.evidencebasedmentoring.org/what-is-your-evidence-based-mentoring-iq-2/.



BRENT BOHAN
PARTNER, SEATTLE

We protect what our clients value most.[®]

McKinley Irvin attorneys are known for their relentless pursuit of successful results, whether representing individuals in financially complex divorce or high conflict parenting disputes. But perhaps our most noted distinction is our steadfast commitment to protecting what our clients value most.



McKINLEY IRVIN
FAMILY LAW

SEATTLE | BELLEVUE | KIRKLAND | EVERETT | TACOMA
VANCOUVER | PORTLAND | mckinleyirvin.com

Pursuing Justice. Changing Lives.



Sexual Abuse • Appellate & Post-Trial • Medical Malpractice
Serious Injury • Insurance Bad Faith • Wrongful Death

We appreciate referrals and welcome the opportunity to collaborate as co-counsel.

**PFAU COCHRAN
VERTETIS AMALA**
ATTORNEYS AT LAW

www.pcva.law

Seattle • 701 Fifth Avenue, Suite 4300 • Seattle, WA 98104
Tacoma • 909 A Street, Suite 700 • Tacoma, WA 98402
New York • 120 Broadway, 26th Floor • New York, NY 10271

Looking Backward and Looking Forward

A review of the WSBA's top 25 accomplishments for FY 25

Life can only be understood backwards; but it must be lived forwards.

— Soren Kierkegaard

This edition appears in the December/January issue of *Bar News*, the last of 2025 and the first of 2026. Welcome to a brand-new year. In this column, I will seek to provide a review of some of the WSBA's 2025 accomplishments, as well as look beyond what the eyes can see to the future. I have also included a list of the top 25 WSBA accomplishments for 2025. As Winston Churchill once said, "The longer you can look back, the farther you can look forward."

EQUITY AND JUSTICE PLAN

One of the great accomplishments of our Bar Association last year was the unanimous adoption of the Equity and Justice Plan by the Board of Governors. The Diversity, Equity, and Inclusion (DEI) Council had worked tirelessly for more than three years to put this plan together. The plan has three essential goals: (1) strengthen the legal profession by building community and fostering belonging; (2) advance a fair, inclusive, effective, and accessible legal system for all people in our state; and (3) deepen and broaden WSBA leadership's ongoing commitments to addressing inclusion, belonging, and equity issues. The implementation of these goals will be one of the directive principles of the WSBA this year.

RULE OF LAW AMBASSADOR PROGRAM

On May 1, 2025, more than 1,600 legal professionals across the state publicly retook their oaths to uphold the rule of law, reaffirming their commitment to the Constitution and justice for all.

The WSBA's Rule of Law Ambassador Program is designed to help legal professionals carry out these duties—to educate and inform their communities about the rule of law in a way that builds connections and, ultimately, trust.



Francis A. Adewale

WSBA President

Francis A. Adewale is the 2025-2026 WSBA president. He can be reached at francisadewalebog@gmail.com.

FIRST WSBA STRATEGIC PLAN (2026-2029) ADOPTED

For the first time in recent memory, the Board adopted a three-year strategic plan. The first of the four goals relates to access to justice: "Advance a fair, inclusive, effective, and accessible legal system for all people in our state — ensuring all Washingtonians have the resources, knowledge, and support needed to seek justice." Other goals address technology, culture, and governance.

PILOT PROJECT FOR ENTITY REGULATION

The WSBA Entity Regulation Pilot Project is a response to the evolving landscape of legal services, where technology and new business models are changing how legal assistance is delivered. Historically, only individuals licensed by the Washington Supreme Court could own law firms and practice law. This pilot project seeks to test the implications of allowing entities, including those operated by individuals not licensed to practice law, to offer legal services under limited exemptions from existing regulations. Within 24 hours after the application portal opened, we began receiving applications. This is a monumental achievement.

FIRST BAR LEADERS SUMMIT

To help regional and affinity bars collaborate and provide training for bar leaders, the WSBA organized the first ever statewide Bar Leaders Summit. The conference drew attendees from all regions in our state and was widely regarded by local bar leaders as a huge success. WSBA investment in bar leadership programs such as this greatly benefit our association, as future leaders of the Bar usually come from regional and affinity bars. I am living proof, as I started my bar leadership role as trustee of the Spokane County Bar Association before my election as District 5 governor.

CONTINUED >

To help regional and affinity bars collaborate and provide training for bar leaders, the WSBA organized the first ever statewide Bar Leaders Summit.

President's Corner

CONTINUED >

FIRST RURAL DAY OF SERVICE

The WSBA Small Town and Rural (STAR) Council held its first Rural Day of Service in 2025. Legal practitioners in rural areas all over the state were celebrated and acknowledged. Legal service delivery in rural areas and small towns in our state is a top WSBA priority, and I will be writing more about attracting practitioners to these areas in the future.

LOOKING FORWARD

If we did so much in 2025, what else is left for us in 2026? Quite a lot. My commitment is to build on these laudable achievements and continue to work hard to expand access to justice in the state of Washington.

We need to bend the arc of justice for those left outside the circle of human concern. It is a commitment that our noble profession made: Justice for all should never be a slogan, but a guiding principle and a reality for those left at the margins. We can do it: Bend the Arc!

THE FULL LIST

FY25 Top 25 Accomplishments

- Equity and Justice Plan adopted.
- Launched Rule of Law Ambassador Program.
- Held May 1 Law Day events across the state.
- Approved the first three-year strategic plan in recent memory.
- Legal Technology Task Force presented its final report.
- Sponsored and supported the Access to Justice (ATJ) Board to put on the ATJ Conference.
- Established updated Indigent Defense Standards.
- Launched the Entity Regulation Pilot Project.
- Held the inaugural WSBA Regulatory School.
- Held the inaugural Bar Leaders Summit.
- Made WSBA Deskbooks accessible for free via the Washington State Law Library.
- Board of Governors issued a statement in support of the rule of law.

GUEST COLUMN

Heroes of Justice

In each issue of *Bar News*, WSBA President Adewale will ask one Washington legal professional, one “Hero of Justice,” to share how they came to practice law.



Hunter Abell

State House Representative, District 7-Position 2, and of counsel at Williams Kastner & Gibbs

My earliest encounter with the law was in 6th grade. There was a minor disciplinary infraction at recess, and our teacher decided to hold a trial to get to the truth of the matter and mete out justice. I served as the judge, empaneled a jury of students, and appointed defense counsel and prosecutor. I served as the prosecutor. I won my first “case,” and was hooked on the law ever since.

Today, roughly 35 years later, I practice at Williams Kastner & Gibbs in the firm’s Eastern Washington office. I assist clients with real estate litigation and transactions and serve as a commander in the U.S. Navy Reserve. Finally, I have the honor of representing the 7th Legislative District in the Washington State House of Representatives.

My fight for justice is similar to the fight that thousands of attorneys engage in every day: The struggle to vindicate our clients’ rights in accordance with the law and our professional obligations. It is not easy. But it is important and noble work. I am frequently reminded of the obligation in Proverbs 31:8 to “speak up for those who cannot speak for themselves.”

My passion is enhancing the public’s trust in institutions, including our legal and judicial professions, as well as the political branches of government. We have a lot of work to do if we are going to build and strengthen our profession, state, and country as we celebrate 250 years of American independence.

I occasionally think back about that 6th grade trial. My daughters are roughly the same age now that I was then. Increasingly, my fight for justice and involvement in public service is for them: to make our state a better place for them to live, work, and raise a family. [BN](#)

- Held the inaugural Pathways to the Profession Summit.
- Held the second STAR Summit.
- Held our first Rural Day of Service.
- Gave out summer stipends for law students interning in rural areas.
- Held our second annual rural job fair.
- Removed the resident agent requirement for out-of-state bar members.
- Adopted bylaw amendments changing the title of “Young Lawyer” to “New Member.”
- Created a “retired” license status.
- Conducted the second decennial demographic study.
- Adopted a Language Access Plan.
- Adopted AI policies for employees and those attending WSBA meetings.
- Launched replacement discipline-system case and document management platform.
- Launched the second and third Washington Law Student Employment Retreat (WALSER) in partnership with affinity bars. [BN](#)

SERVE ON THE BOARD OF GOVERNORS

✓ LEAD
WITH
INTEGRITY.

✓ GOVERN
WITH
VISION.

✓ CHAMPION
JUSTICE
FOR ALL.

Help Shape the Future of the Legal Profession in Washington State.

The Washington State Bar Association (WSBA) invites you to consider serving on the Board of Governors which plays a critical role in setting policy and budget, and guiding the strategic direction of the organization. This is your opportunity to:

- **Help shape the future of the legal profession in Washington.**
- **Serve as an ambassador and leader in your community.**
- **Contribute to decisions that affect thousands of legal professionals.**

Board members serve three-year terms beginning in September, dedicating time to regular meetings every 6-8 weeks — held across the state and virtually — plus additional involvement in community events and special sessions.

OPEN POSITIONS & APPLICATION DEADLINES

District 3 Governor
FEBRUARY 16, 2026

District 8 Governor
FEBRUARY 16, 2026

District 6 Governor
FEBRUARY 16, 2026

President-Elect
APRIL 7, 2026

District 7-N Governor
FEBRUARY 16, 2026

Governor-at-Large
APRIL 15, 2026

BECOME A CANDIDATE

To learn more and attend an upcoming Information Session, please go online to



www.wsba.org/elections

Email your questions to barleaders@wsba.org.

THE WSBA'S MISSION > The mission of the Washington State Bar Association is to serve the public and the members of the Bar, to ensure the integrity of the legal profession, and to champion justice.

**WASHINGTON STATE
BAR ASSOCIATION**

WHATEVER HAPPENED TO ZEAL?

BY MARK J. FUCILE



Not too long ago, I was standing in a grocery store checkout line when I overheard a shopper in the next line telling the checker that they were a law student, they planned to go into litigation, and that the first rule of an advocate is to zealously represent their client. Assuming the student was studying the ABA Model Rules, there are still a few scattered references to “zeal.” But “zeal” disappeared from the Washington professional rules 40 years ago. Like the law student in the checkout

line, however, lawyers often speak of “zeal” as if it was still there.¹

In this column, we’ll look at what happened to zeal and why. We’ll then turn to what replaced the concept of “zeal” in the Washington RPC.²

‘ZEAL’

Zeal first entered the professional rules in 1908 when the ABA adopted the Canons of Professional Ethics. Canon 15 encouraged lawyers to represent clients with “warm zeal.” Washington followed with its own

version of Canon 15 encouraging “warm zeal.”³ Neither, however, used the word “zeal” in the sense of “zealot.”⁴ Instead, “zeal” was defined as being attentive to a client’s interests: “The lawyer owes entire devotion to the interest of the client, warm zeal in the maintenance and defense of his rights and the exertion of his utmost learning and ability[.]”⁵ The Washington Supreme Court, for example, disciplined a lawyer under Canon 15 for taking on a case in 1956 and essentially letting it lie dormant until it was finally resolved through the in-

tervention of another lawyer for the client in 1962.⁶

In 1969, the ABA replaced the Canons with the Model Code of Professional Responsibility. “Zeal” was elevated to the title of Canon 7—“A Lawyer Should Represent a Client Zealously Within the Bounds of the Law”—and the title of accompanying Disciplinary Rule 7-101—“Representing a Client Zealously[.]” Again, Washington followed.⁷ At least as defined by these rules, however, the notion of “zeal” continued to be uncontroversial: “A lawyer shall not intentionally ... [f]ail to seek the lawful objectives of his client through reasonably available means permitted by law[.]”⁸ The Washington Court of Appeals, for example, found no lack of zeal in a criminal case where a lawyer presented—but did not embellish—his client’s alibi testimony.⁹

In 1983, the ABA replaced the Model Code with the Model Rules of Professional Conduct. At that point for reasons discussed in the next section, the word “zeal” began to play a less prominent role in the professional

Mark J. Fucile of Fucile & Reising LLP handles professional responsibility and risk management for lawyers, law firms, and legal departments throughout the Northwest. He is a former chair of the WSBA Committee on Professional Ethics and has served on the Oregon State Bar Legal Ethics Committee. He is editor-in-chief of the WSBA’s *Washington Legal Ethics Deskbook* and is a principal co-editor of the WSBA’s *Law of Lawyering in Washington* and the OSB *Ethical Oregon Lawyer*. He also teaches legal ethics as an adjunct for the University of Oregon School of Law at its Portland campus. He can be reached at 503-860-2163 and mark@frllp.com.



with a comprehensive update to the Washington RPC known as the “Ethics 2003” amendments. Among the changes adopted by the Washington Supreme Court were a Preamble and comments patterned generally on their ABA Model Rule counterparts. Although the WSBA Ethics 2003 Commit-

done “bad behavior,” that was sometimes the unfortunate result as lawyers used it as an excuse for plainly unprofessional conduct. The Reporter to the Ethics 2003 Committee put it this way in explaining the Board of Governors edits to the Preamble:

Although the Model Rules version of paragraphs [2], [8], and [9] of the Preamble includes the terms “zealous” and “zealously,” Washington has, since the adoption of the RPC in 1985, scrupulously avoided use of such terminology. Owing to its etymology, the word “zealous” in this context could inappropriately be interpreted to condone extreme or fanatical behavior of a type that would be inconsistent with a lawyer’s professional obligations. In order to maintain continuity in Washington in this regard, “conscientious and ardent” has been substituted for “zealous.”¹⁶

Professor Tom Andrews and his late colleague at the University of Washington, Professor Rob Aronson, echoed this observation from both a local and national perspective in their *Law of Lawyering in Washington*:

The [treatment of zeal] ... reflect[s] a growing sense that the aspiration to zeal has traditionally been used to justify a “Rambo” style of scorched-earth lawyering that is counterproductive. Perhaps this is why in adopting the ABA comments, our Supreme Court replaced the word “zeal” with the word “diligence,” in keeping with its deletion of the concept of zeal from the preamble. In other words, advocacy can be carried too far and, at least in Washington, the concept of zeal was thought to be sufficiently problematic that it should be expunged from the RPC altogether.¹⁷

Although there are many examples nationally of lawyers misbehaving while ostensibly zealously representing their clients,¹⁸ *United States v. Thoreen*, 653 F.2d 1332 (9th Cir. 1981), offers a local contribution to this unfortunate genre. The lawyer

In 1983, a new rule—Model Rule 1.3 on diligence—incorporated the concepts of thoroughness and timeliness that broadly reflected the notion of ‘zeal’ as used in the Canons and the Model Code.

rules. A new rule—Model Rule 1.3 on diligence—incorporated the concepts of thoroughness and timeliness that broadly reflected the notion of “zeal” as used in the Canons and the Model Code.¹⁰ “Zeal,” by contrast, moved to Comment 1 to Model Rule 1.3 and two mentions in a new Preamble.¹¹

When Washington followed in 1985 by replacing the Code of Professional Responsibility (CPR) Disciplinary Rules (DR) with the RPC, “zeal” disappeared. Although Washington adopted RPC 1.3 on diligence, Washington did not adopt comments to the RPC in 1985.¹² Similarly, Washington kept the older Preamble to the CPR rather than the ABA Model Rule Preamble.¹³

Zeal almost made it back into Washington’s professional rules in the early 2000s

tee had recommended both the Preamble paragraphs and the comment to RPC 1.3 referencing “zeal” found in the ABA Model Rules, the WSBA Board of Governors substituted the phrase “conscientiously and ardently” in the Preamble before sending the amendments to the Supreme Court and the Supreme Court, in turn, substituted “diligence” for “zeal” in the comment to RPC 1.3.¹⁴ Those amendments became effective in 2006.¹⁵

In short, “zeal” last made an appearance in Washington’s professional rules 40 years ago.

WHY DID IT DISAPPEAR?

Although read in the context of the Canons and the Code zeal was not meant to con-

CONTINUED >

conduct involved occurred during a trial in the Western District of Washington. The case turned on testimony by a government agent who had cited the defendant for illegal salmon fishing. The defense lawyer got the bright idea of testing the agent's identification by substituting an imposter at counsel table and having his client sit in the spectator area of the courtroom in disguise. The bright idea did not include telling either the judge or the prosecutor, and the lawyer represented throughout the trial leading up to the agent's testimony that the imposter was his client. When the dramatic cross-examination occurred (and the agent initially got the identification wrong) and the story unspooled (and the agent then corrected the identification), the judge was not amused. The lawyer defended his conduct by arguing that his duty of zealous representation required the ruse. The judge found the lawyer in criminal contempt and the Ninth Circuit affirmed.

DILIGENCE

When the ABA Model Rules were being debated in 1983, the American College of Trial Lawyers proposed that "diligence" in Model Rule 1.3 be replaced by "zeal."¹⁹ In doing so, it argued that "zeal" "connotes strong motivation and extraordinary effort."²⁰ It lost.²¹ As discussed in the preceding section, by that point zeal's once-laudable luster had dimmed and the term had instead come to be viewed as an excuse for bad behavior.

It is important to remember, however, that "diligence" does not suggest milquetoast advocacy. Comment 1 to RPC 1.3²² makes that plain:

A lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience to the lawyer, and take whatever lawful and ethical measures are required to vindicate a client's cause or endeavor. A lawyer must also act with commitment and dedication to the interests of the client with diligence in advocacy upon the client's behalf.

The phrase "conscientiously and ardently" that was substituted into the Washington Preamble essentially makes this same point.

It is equally important to remember that clients intuitively understand diligence,

It is important to remember, however, that 'diligence' does not suggest milquetoast advocacy.

which the text of RPC 1.3 frames as: "A lawyer shall act with reasonable diligence and promptness in representing a client." Although clients may not appreciate the more obtuse procedural elements of a case, they understand if a lawyer doesn't return their calls or emails and appears to have lost interest in their case. In fact, diligence failures are usually a "Top Five" source of client complaints (and rule violations) in the WSBA's Discipline System Annual Reports.²³ In other words, while "zeal" might make good fodder for late night TV, the statistics suggest that clients want professional advocates who pursue their matters with appropriate deliberation, competence, and communication.²⁴ [BN](#)

NOTES

1. See, e.g., *State v. King*, 2023 WL 3478545 at *4 (Wn. App. May 16, 2023) (unpublished) (lawyer arguing that he had a duty to "zealously advocate for his client"). To be fair, judges also still occasionally use the word "zeal." See, e.g., *State v. Cannata*, 2018 WL 3414625 at *10 (Wn. App. July 12, 2018) (unpublished) (trial judge noted that lawyer was "zealous advocate").
2. For convenience, this column uses the word "zeal" to collectively encompass "zeal," "zealous," and "zealously."
3. See generally *In re Holtz*, 64 Wn.2d 424, 427, 392 P.2d 242 (1964) (discussing Washington Canon 15).
4. *Black's Law Dictionary* (12th ed. 2024) defines a "zealot" as "[s]omeone who is an immoderate, fanatical, or overzealous adherent to a cause or ideal[.]"
5. Former ABA Canon 15. See generally Henry S. Drinker, *Legal Ethics* 146 (1953) (discussing the history of Canon 15, including the phrase "warm zeal").
6. *In re Holtz*, *supra*, 64 Wn.2d 424.
7. See generally *State v. Darnell*, 14 Wn. App. 432, 440, 542 P.2d 117 (1975) (discussing Washington CPR 7 and DR 7-101).
8. Former ABA DR 7-101(A)(1).
9. *State v. Darnell*, *supra*, 14 Wn. App. at 439-440.
10. See ABA, *A Legislative History: The Development of the ABA Model Rules of Professional Conduct, 1982-2013* at 65-70 (2013) (ABA Legislative History) (outlining the history of Model Rule 1.3).
11. ABA Legislative History, *supra*, at 66 (Model Rule 1.3, cmt. 1), 1-2 (Preamble, ¶¶ 2, 7). Paragraph 7 to the Preamble was renumbered to Paragraph 8 in 2002 and an additional reference to zeal was added to the Preamble in Paragraph 9. See ABA Legislative History, *supra*, at 6. Use of the word "zealous" also remains in the ABA Criminal Justice Standards for the Defense Function (4th ed. 2017) in ways that broadly parallel its remaining use in the ABA Model Rules.
12. See Robert H. Aronson, "An Overview of the Law of Professional Responsibility: The Rules of Professional Conduct Annotated and Analyzed," 61 *Wash. L. Rev.* 823, 827-28 (1986) (critiquing the failure to adopt comments).
13. See Thomas R. Andrews, *The Law of Lawyering in Washington* at 3-5 (2012) (discussing the retention of the CPR preamble).
14. See Reporter's Explanatory Memorandum to the Ethics 2003 Committee's Proposed Rules of Professional Conduct at 1-2 (proposed preamble) and 13 (proposed RPC 1.3, cmt. 1) (2004); WSBA Board of Governors' Revisions to Ethics 2003 Committee Recommendations at 4-5 (2004) (WSBA BOG Revisions) (on file with author) (with alteration noted to preamble); Washington Supreme Court Order 25700-A-851, July 10, 2006 (with alteration noted to Comment 1 to RPC 1.3).
15. Washington Supreme Court Order 25700-A-851, *supra*, at 1.
16. WSBA BOG Revisions, *supra*, at 5.
17. Thomas R. Andrews and Robert H. Aronson, *The Law of Lawyering in Washington* at 5-6 (2012) (footnote omitted).
18. For nuanced discussions of this issue from a national perspective, see generally Geoffrey C. Hazard, Jr., W. William Hodes, and Peter R. Jarvis, *The Law of Lawyering* § 7.02 (4th ed. 2021), *Restatement (Third) of the Law Governing Lawyers* § 16, cmt. d (2000), and Charles W. Wolfram, *Modern Legal Ethics* § 10.3 (1986).
19. ABA Legislative History, *supra*, at 65-66.
20. *Id.* at 66.
21. *Id.*
22. RPC 1.3 was surveyed in this space in November 2024 as "Hard at Work: Diligence under RPC 1.3." 78, No. 9 *Wash. St. Bar News* 12 (Nov. 2024).
23. Washington Discipline System Annual Reports are available at: www.wsba.org/for-legal-professionals/professional-discipline.
24. See also RPC 1.1 (competence) and 1.4 (communication).

STRENGTHEN YOUR
HIRING STRATEGY
WITH THE

WSBA Career Center



EMPLOYER BENEFITS

- **SHOWCASE** your legal opportunities to attract exceptional attorneys, regulatory experts, and paralegals dedicated to delivering justice, advancing policy, and protecting public trust.
- **CONNECT** with top candidates through the Resume Bank to find your ideal hire.
- **BUILD** a compelling company profile to provide job seekers with valuable insight into your mission and workplace culture.
- **REACH** top legal professionals nationwide through the exclusive Job Flash™ Email.
- **EXPAND** your candidate pool, including underrepresented talent, by leveraging job aggregator websites and social media for broader visibility.
- **ENGAGE** with professionals deeply committed to diversity, equity, and dedicated to advancing legal solutions.



EXPLORE THE
WSBA
CAREER CENTER



jobs.wsba.org

REFORMING EVIDENCE

BY JORDAN L. COUCH

It's not uncommon for trial attorneys to talk about the equalizing effect of the rules of evidence and civil rules on courtroom proceedings. Whether you're a billionaire or impoverished, the rules apply equally to all. Trial attorneys are generally right; these rules do tend to level the playing field, but primarily when the value of a case justifies the costs of attorneys on both sides. But many cases that come before our courtrooms involve pro se litigants for whom those same rules create burdens that preclude many from ever obtaining the justice they deserve, or force those who do to spend a lot of money to get it. It was Anatole France who reminded us that "the law, in its majestic equality, forbids rich and poor

alike to sleep under bridges, to beg in the streets, and to steal their bread."

It's time we examine the rules of evidence and ask if they are serving their intended purpose or if there is a better way. I recently read an article from the ABA by Leonard M. Niehoff¹ about the rules of evidence. He said some things I have been thinking for a while, but I want to take his ideas even further. There are rules we should remove, rules we should adjust, and reforms we should allow when both parties consent.

A RULES TO BE REMOVED

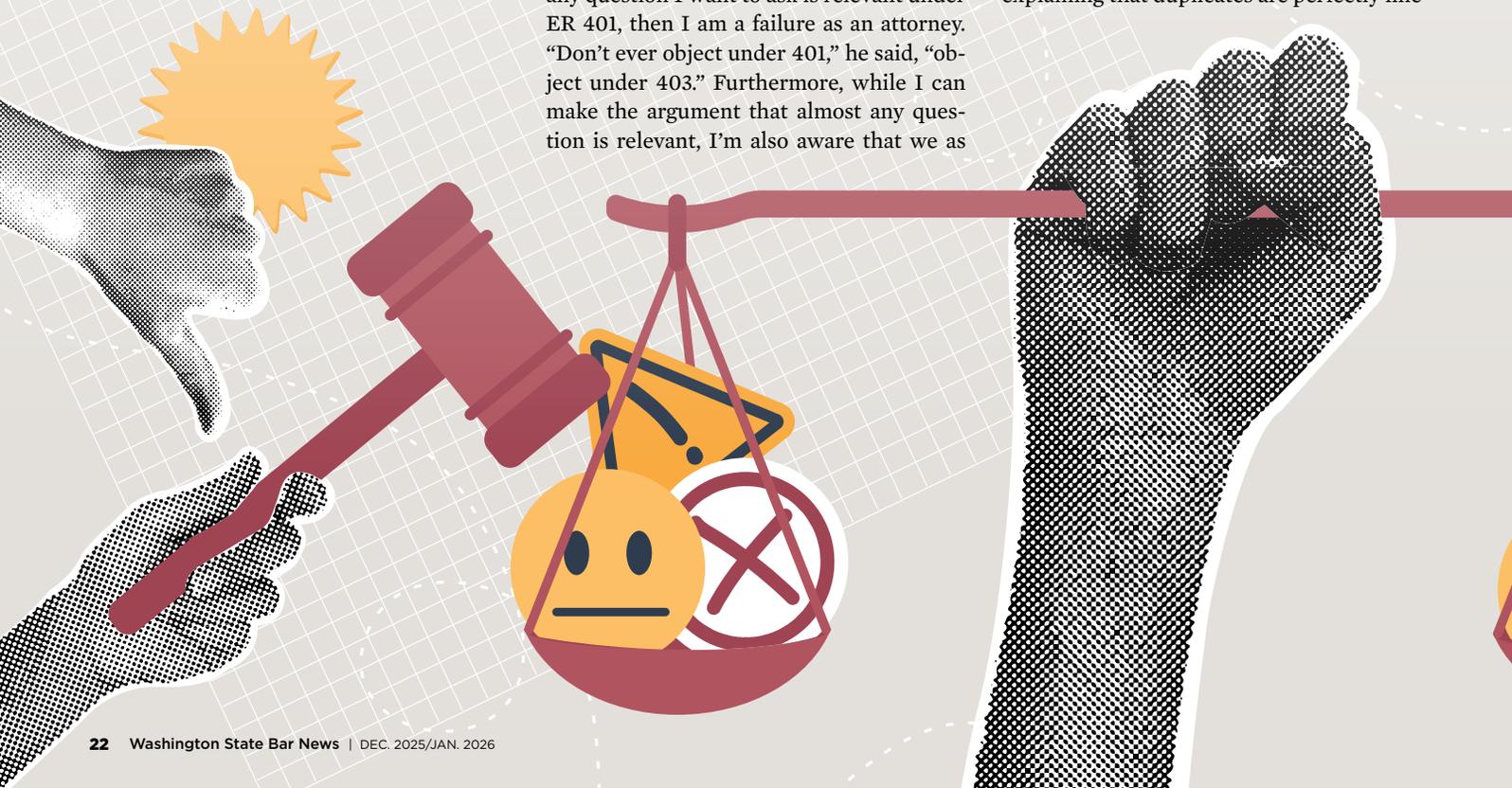
401 and 403: My trial advocacy professor told me often that if I can't argue that any question I want to ask is relevant under ER 401, then I am a failure as an attorney. "Don't ever object under 401," he said, "object under 403." Furthermore, while I can make the argument that almost any question is relevant, I'm also aware that we as

attorneys allow irrelevant questions to be asked all the time. "Where are you from?" "How long have you been married?" Irrelevant "background and foundation" questions that every lawyer asks, and to which no lawyer objects. Rule 401 and 403 should be combined into one rule.

Niehoff argues that the word "may" in 403 should be replaced with "shall" making a judge's responsibility clear. I'm inclined to agree and to further argue that if we update the standard to a requirement, we don't need 401 at all. Irrelevant evidence would, by definition, confuse the issues and waste time.

The new ER 401 would read: "Evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence." What more needs to be said?

1001+: Niehoff argues that the best evidence rules should simply be done away with, and I'm inclined to agree. These rules are a relic of a pre-digital era. The rules themselves are written in such a way as to demonstrate their uselessness. Rule 1002 tells us that original copies are "required." Rule 1003 immediately follows that up by explaining that duplicates are perfectly fine



Jordan L. Couch is a partner at Palace Law. Outside of his practice, Couch is heavily involved in state, local, and national bar associations, advocating for a better, more client-centric future to the legal profession. Contact him at jordan@palacelaw.com.



unless there is some reason that a duplicate is unfair. This is nonsense.

When most of our evidence is digital, what even is an “original” or a “duplicate”? Do I have to present the laptop that an email was typed on? These rules create confusion and barriers and give us nothing. As Niehoff notes, “The little good that they do to help ensure the reliability of evidence can almost always be achieved by applying other principles, such as authentication (ER 901) and unfair prejudice (ER 403).”

I encountered this issue in a recent trial in which screenshots of photos from a phone were being admitted into evidence. There was no debate that the photos had been tampered with (not maliciously, just oddly) but because my client agreed it was her in the photos, they were admitted over my objection. If the court had agreed with me that these photos violated ER 1003 then what would admitting the “original” have meant? ER 1001 defines original as “any counterpart intended to have the same effect by a person executing or issuing it.” Given that definition, how is a copy any different from an original? The ER 1000s made some sense in a physical era, but in today’s

digital world, these rules are irrelevant and should be cut.

704: “Testimony in the form of an opinion or inferences otherwise admissible is not objectionable because it embraces the ultimate issue to be decided by the trier of fact.” This rule is silly and seems to do nothing more than confuse people. There is a principle in statutory interpretation that the saying of something suggests that it needed to be said. So, this rule suggests that, as a general rule, testimony that embraces the ultimate issue is objectionable. But what the rule says is that such testimony is not objectionable if the testimony is admissible. We have an entire rule that says admissible evidence is not objectionable.

The most common result of this rule that I see is someone objecting to my expert testifying about their opinion about the cause of a medical condition. Such objections are easily dismissed by pointing out that the rule explicitly allows for such testimony. But I understand why the objection is sometimes made. The rule seems to suggest that there are times when such objections are warranted; it just provides no guidance as to when that might be. I can only imagine the situation is worse when pro se litigants are involved. This rule should simply be stricken.

CONTINUED >

Illustration © Getty/Natalya Kosarevich



**DUI?
RECKLESS DRIVING?
SPEEDING TICKET?**



Keep it off your record,
Keep insurance costs down

Jeannie P. Mucklestone, P.S. INC.

PO BOX 565
Medina, Washington 98039

(206) 623-3343

jeannie@mucklestone.com
www.mucklestone.com

- Successful Results
- Extensive experience
- Former Judge Pro Tem in King County
- Featured in Vogue magazine as a top lawyer for women in Washington
- Front page of Seattle Times
“Drivers fighting tickets and winning”
- All credit cards accepted


Des Moines Escrow, Inc.

An independent, full service escrow company, specializing in

**BUSINESS OPPORTUNITIES AND
PERSONAL PROPERTY TRANSACTIONS**

“We handle the details, so you can focus on your client, and the big picture issues.”

We have experience closing transactions for:

- Restaurants, Bars, and Franchises
- Professional Services, CPA Firms
- Cannabis Interests/Grow Farms/Retail
- Co-ops/Stock Sales/Asset Sales
- Gas Stations and Mini-Marts
- Trucking Companies/Recycling Plant
- Airplane Hangars/ Regional-Private Airports
- House Boats/Boat Houses/Moorage Slips
- Auto Repair and Collision Centers
- CIR Dissolutions/CR2A Settlements

www.desmoinesescrow.com

Susan M. Berry, President, LPO, DEO
Office: 206-824-6602 | Fax: 206-824-6625
susan@dmescrow.com



BBB Rating: A+

B RULES TO BE ADAPTED

801-803: I'm convinced that at least 60 percent of attorneys and 50 percent of judges don't properly understand the hearsay rules. This is the most common rule I see attorneys arguing back and forth. Recently, I even had a judge cite a specific exception when sustaining an objection against me only to reverse his decision after I read him the rule he cited.

There is some purpose behind the complexity of the hearsay rules. As Niehoff puts it, hearsay "engages with questions that border on the metaphysical: What is an assertion? When is an assertion offered for its truth? When is it offered for another purpose? When is it sufficiently reliable that we should except it from the hearsay ban? A certain amount of impenetrability inheres in questions of this nature." But that does not mean we should ignore the problems this rule creates.

At the heart of the hearsay rule is an understanding that admitting evidence without an opportunity for cross examination is unfair, but the rules themselves lose sight of that foundation. Why can't a doctor testify about what another doctor said if both doctors are testifying (801(c))? Why can a witness testify about what my client said (801(d)(2)), but my client can't testify about what that witness said (801(c)) or what my client said to that witness (801(c))? (There are limited exceptions to those assertions under 801(d)(1).)

Niehoff argues that rule 801 should include a provision that, "A statement is not hearsay if the declarant testifies and is subject to cross-examination about a prior statement." I agree but think we should take it even further. We should adopt a norm that, much like 403, hearsay evidence should be allowed if doing so does not create a substantial risk of unfair prejudice. My clients are often baffled when I explain to them that we have to hire their doctor to testify in a case when what they will testify to is already in their chart notes, and the employer already did a discovery deposition. Why force parties to take on the burden of having expensive experts testify live in trial if those parties would prefer to just submit the records they already have? Certainly the evidence wouldn't be as good, but access to justice also requires us to think of the economics. A party might have a valid

claim for damages of \$10,000, but if hiring experts to get that money will cost \$12,000 and the opposing party knows it, suddenly the value of that claim becomes \$0.

I don't think we can get rid of the hearsay rules altogether, but we can change the presumption on hearsay from one of exclusions to one of inclusion. A focus on unfair prejudice cuts through the chaff to the wheat of the issue. Why are we opposed to hearsay? Because sometimes it can be unfair. So instead of all the exceptions and exceptions to the exceptions, let's create a list of factors to be considered in determining if the admission of hearsay is fair or not and leave it at that.

Ditch the rules in bench trials: While I was in law school, I clerked for a federal judge who had what I thought at the time was a peculiar quirk. During bench trials, when a party would object on some evidentiary basis he would usually respond with something to the effect of, "I'm going to have to hear the evidence to make a ruling anyway so it will just go to the weight." As a law student learning about the sanctity and

lawyers to adopt but, importantly, we would need a rule change that allows in bench trials for arguments to be raised on appeal that were not raised at trial. This isn't an easy lift, but it would be a meaningful one, especially for cases involving pro se litigants for whom a bench trial is a valuable option but still needlessly complex.

C REFORMS WHEN PARTIES WANT THEM

Expand GR 40: I really only have one idea to recommend here and it's an easy one, but I suspect also a very controversial one. In the last few years, Washington has been seeing the benefits of new "Informal Family Law Trials" under GR 40 that allow parties to proceed through trial in family law cases while waiving many of the evidence rules and civil rules. It is time to expand this to all practice areas.

The rules of evidence and civil rules, while valuable in many situations, are also an example of the way our justice system was designed by lawyers and for lawyers. Many parties before our courts are pro se and our systems need to accommodate that.

The rules of evidence and civil rules, while valuable in many situations, are also an example of the way our justice system was designed by lawyers and for lawyers.

importance of my rules, it seemed a little crazy to me. As a practicing lawyer who has done dozens and dozens of bench trials, it makes a lot of sense.

In a bench trial the judge plays the role of judge and of fact-finder. This makes evidentiary objections more than a little odd. The purpose of objecting to evidence is to ask the judge to ensure that an impressionable jury never hears it. When those roles are collapsed, it doesn't really make sense. For that reason, in a bench trial, we should start with the assumption that there will not be any evidentiary objections. Judges can decide for themselves if a particular line of questioning is wasting time or problematic and act accordingly. On its face, this is an easy thing for

The rules of evidence are so convoluted that I would bet not a single trial attorney is without a story in which they feel a well-trained judge made an obvious mistake. How can we expect pro se litigants to get it right? So why not let them opt out entirely?

This idea might sound scary, but it's common practice for attorneys. We often make the decision to waive or not raise an objection. I once struck a deal over lunch in a complex case to end a line of questioning if opposing counsel withdrew a set of objections. As lawyers, we waive evidence rules all the time on a piecemeal basis. Why shouldn't pro se litigants have the opportunity to waive the rules all at once?

Even in cases where only one party

is pro se, I could see value to this option. When I was doing protective order work in law school, I remember struggling often with the balance between wanting to get a trial done and the reality that I could object to every question a pro se litigant asked and keep the trial going all day. Our court rules were not designed for the people they serve and it's time we acknowledge that and let them opt out.

CONCLUSION

As a decade-long trial attorney, I'll be the first to admit I have conflicting feelings about some of these recommendations. For the proposal to allow opting out, I don't think I would choose for my clients to waive their rights in most cases. But in injury law, I reject about 60 percent of the people who call me wanting my help for various reasons, one of which is that there isn't enough value in their case to justify the cost. Why shouldn't those individuals have the right to waive these rules if they so choose in an effort to reduce costs? I know attorneys will say that we would be giving them worse service, but these are people who otherwise do not have access to our justice system. It's not a question of getting better or worse service. It's a question of whether they get access at all or are denied access because of the structural costs and burdens we force upon the consumers of American justice.

Being a trial lawyer means embracing some level of cognitive dissonance. On the one hand I do believe that juries are capable of discerning the truth better than any system mankind has imagined to date. On the other, as I stand before a jury, I pay close attention to the expressions on my face, I fret about the exact words the jury will hear, and I worry about what tone they will hear it in—all because I'm afraid something as silly as the wrong facial expression could distort their perception of the facts of a case. Removing and rewriting the rules of evidence makes me uncomfortable, but that doesn't mean my feelings are right, and it definitely doesn't mean we shouldn't give it a try. **BN**

NOTE

1. Leonard M. Niehoff, "Let's Break Some Rules: Immodest Proposals for Evidence Reform," *ABA Journal*, April 5, 2025, available at www.americanbar.org/groups/litigation/resources/litigation-journal/2025-winter/lets-break-some-rules-immodest-proposals-evidence-reform/.

**PAULSON
COLETTI**
TRIAL ATTORNEYS PC

personal injury
wrongful death
trucking accidents
product liability



385 1st Street, Ste 217, Lake Oswego, OR 97034 | (503) 226-6361 | paulsoncoletti.com



MAY the GIFT
of GOOD CHEER LAST
ALL SEASON LONG

With best wishes for the year ahead.

WALTHEW
LAW FIRM



AFFINITY BAR SPOTLIGHT

South Asian Bar Association of Washington

BY SHASHI VIJAY AND SMITHA GUNDAVAJHALA

The South Asian Bar Association of Washington (SABAW) was founded in 2001 by a group of South Asian attorneys who sought to create an organized voice and empower South Asian attorneys in Washington. Today, it provides South Asian legal professionals, and the broader legal community, with a wide range of professional, social, and educational events, including mentorship initiatives, community engagement opportunities, and continuing

legal education. Each year, SABAW also hosts its signature event, the Annual Gala, which has featured judges, advocates, and legal voices from around the world.

This year, SABAW held its Annual Gala on Oct. 17, 2025. The gala brought together legal professionals from across the state, as well as from other chapters of the South Asian Bar Association in other countries.

Highlights of the gala included a panel with King County Presiding Judge Ketu Shah, Hon.

Rania Rampersad, and Hon. Kuljinder Dhillon, with spotlights on Hon. David Keenan and Hon. Andrea Jarmon. The event included a trivia competition highlighting both American and South Asian culture, as well as dance performances from Junoon, an all-girls competitive Bollywood fusion dance team from the University of Washington. The gala concluded with scholarship awards to deserving law students Rina Ravisundar and Devin Dulay, as well as an exceptional recent graduate, Tsechu Dolma.

As Hon. Ketu Shah shared on a judges' panel at the gala, the strength of this bar is the diversity of cultures and traditions that is encompassed by the term "South Asian," and the diversity of experiences and practices that make up SABAW. Members in attendance included law students, young lawyers, partners and founders of law firms, and judges. The evening was a nod to the theme for the year: combining fun with consistency in the way that SABAW shows up.

Throughout this year, SABAW has continued its tradition of community, collaboration, and solidarity, strengthening its collective energy and purpose.

ABOVE: King County Presiding Judge Ketu Shah speaks on the judges' panel at the 2025 SABAW Annual Gala. Pictured from left to right are the panelists: the Honorable Kuljinder Dhillon, the Honorable Rania Rampersad, and the Honorable Ketu Shah. The Honorable David Keenan and the Honorable Andrea Jarmon also joined the panel from the audience.

MORE ONLINE >

For more information about SABAW, including how to become a member, visit

www.sabaw.org



AT LEFT: The Board of Directors of the South Asian Bar Association of Washington worked all year to make the gala, and all of SABAW's programming, happen. Pictured from left to right are Tripti Sinha, Hemashree Subramaniam, Shashi Vijay, Gurjot Narwal, Smitha Gundavajhala, and Amrita Srivastava. Board members Tanisha Sudarshan, Akansha Bhat, Dev Narasimhan, and Sindoori Sriram could not attend and are not pictured.



ABOVE: Attendees at the gala got their henna done by Richa Singh from Jhilmil Henna & Art. This year's SABAW Annual Gala continued in the tradition of prior galas, offering henna to guests just in time for the Diwali holiday. The festivities also included Bollywood fusion dance performances by UW Junoon.

Shashi Vijay, SABAW president, is the founder of VJ LAW FIRM. Vijay is a strategic business partner and corporate attorney. Her practice includes commercial contracts, data privacy agreements and fractional GC services for tech companies and AI startups, risk mitigation strategies, and advising in corporate compliance and business litigation. She can be reached at shashi@vjlawfirm.com.



Smitha Gundavajhala, SABAW Board member, is an attorney at Hellsell Fetterman. Her commercial litigation practice spans employment, real estate and land use, privacy law, and injury law, and she is developing her transactional practice. Before litigation, Gundavajhala worked in health policy advocacy and regulatory compliance. She can be reached at sgundavajhala@hellsell.com.



SABAW kicked off the year with networking events, and in April partnered with Indian American Community Services (IACSWA), the longest running organization serving Indian Americans in the Pacific Northwest, for a “Know Your Rights” webinar focused on immigration rights and travel regulations—an incredibly timely event for the South Asian community.

In May, SABAW joined in on a WSBA “Reaffirmation of the Oath” event, a recommitment to our responsibilities as members of the Washington State Bar. SABAW partnered with several of its sister affinity bar organizations for a powerful Asian-American and Pacific Islander (AAPI) Heritage Month panel. In collaboration with Seattle University’s Roundglass India Center, SABAW followed

with a “Lunch and Learn” in June with Justice Uday Umesh Lalit, who has served on the Supreme Court of India, and a fireside chat with the incoming Chief Justice of India, Justice Surya Kant.

SABAW continued to strengthen its community internally and across affinity bar associations with a SABAW picnic and a joint picnic with the Asian Bar Association of Washington. From CLEs to collaborations with the South Asian Bar Association of North America, to an AAPI Judges’ Round Table, SABAW has kept up the spirit of solidarity and collaboration across jurisdictions and organizations.

In 2026, SABAW looks forward to continuing to partner with other organizations to bring timely and impactful programming to members and to the broader community, and to continue to

forge pathways for South Asian students and legal professionals to thrive and grow. As all three judges on the panel affirmed, SABAW’s purpose and duty is to create opportunities and remove barriers for the South Asian legal community here in Washington.

Sign up at sabaw.org/join-us to receive updates on SABAW events, including networking and pro bono opportunities, and to become part of this growing organization. To learn more, please email sabawashington@gmail.com. 



SABAW would like to thank the sponsors for this year’s gala, which made both this celebration and SABAW’s regular programming possible: Arnold & Porter, Hellsell Fetterman, Davis Wright Tremaine, Multani Law Group, Hillis Clark Martin & Petersen, Ballard Spahr, Real Property Law Group, Narwal Injury Law, Foster Garvey, Fisher Philips, VJ Law Firm, Snell & Wilmer, and Watson Immigration Law.



PRO BONO ORGANIZATION OF THE MONTH

In Conversation with Tacomaprobono Community Lawyers

Q&A WITH LAURIE DAVENPORT, COMMUNICATIONS DIRECTOR

Q. Tell us a bit about the history of your organization. What is your organization's philosophy? Why do you do what you do?

Our program has existed since the early 1980s, when we began receiving IOLTA funding; prior iterations go back to the 1960s, connected to the Tacoma-Pierce County Bar Association as a volunteer attorney effort to provide free legal help with civil legal issues for those who could not afford an attorney. We have come from a staff of .5 FTE in 2000 to currently 65 staff, a majority of whom are staff attorneys. We also continue to provide vital legal services using volunteer attorneys, students, and interns. We level the playing field for the most vulnerable who face barriers to accessing the civil

justice system and fight to end racism and inequality in our community; staff attorneys work directly in eviction defense, eviction prevention, family safety, and in specific programs serving Native Americans and veterans at risk of homelessness. We do what we do to make our local legal system work for everyone.

Q. Where is your organization located? Do volunteers participate remotely, in

person, or both?
Our offices are in downtown Tacoma, close to the courthouse. Volunteers participate both remotely and in person. We also have an extensive outreach program which allows volunteers to participate in regular clinics in a variety of locations around Pierce County.

Q. Who does your organization serve?
Anyone who faces a civil legal

Laurie Davenport was the director of Tacomaprobono Community Lawyers (formerly Tacoma-Pierce County Bar Association Volunteer Legal Services Program) between 2001 and 2021. She is a graduate of the University of Washington (Seattle) and worked in technology management at both the UW School of Law and Seattle University School of Law prior to moving back to her hometown of Tacoma; she is currently communications director for Tacomaprobono Community Lawyers.



issue in a Pierce County court, from municipal court to federal court, regardless of residence. While a majority of our programs are required to screen for eligibility at 200 percent of the federal poverty level, several have no income or geographical restrictions, including those focused on domestic violence survivors, Native Americans, and veterans.

Q. What are the biggest barriers your clients face in accessing legal assistance?
Geographic isolation (lack of public transportation), lack of internet connectivity, language and cultural barriers, disability, literacy (regardless of language), poverty, lack of trust in the legal system, and fear of being deported, jailed, etc.

Q. What area(s) of law do you provide services in?
Landlord-tenant (eviction defense, eviction prevention, client support to access housing); family law (all areas); legal support for Native Americans, veterans, and survivors of domestic violence; and clinical advice programs dealing with wills/estates/probate, consumer issues, bankruptcy, and foreclosure.

Q. Does your organization provide training, CLE credit, or other benefits to volunteers?
Yes. We provide trainings for CLE credit (in addition to the CLE credit available to volunteers) and make lunch/refreshments and access to office support available for volunteers who assist with larger in-person clinics. We present awards to volunteers at our annual volunteer appreciation event and feature a volunteer each month on social media.

Q. Please provide one or two (anonymous) client stories—examples of people who were helped and how.

One client was a single father of four children, facing eviction for nonpayment of rent.

During the pandemic, he had to stop working after his youngest child, a 3-year-old, broke their femur twice. His work hours were further impacted when his family contracted COVID-19 multiple times, leading to lost wages and financial hardship. The client's goal was to remain at the property because of the proximity to his job and his children's school. His sister also lived in the same neighborhood, so he wanted to remain close to his extended family to receive additional support.

Our Housing Justice Project staff attorney, Brittany Jones, was assigned by the court to defend the client in the eviction action; she assisted the client with the processing of his rental assistance application and negotiated a settlement to preserve the tenancy.

Ultimately, the eviction case was dismissed, and the court also issued an Order for Limited Dissemination to keep the eviction off his record. After the case was dismissed, Jones continued to assist the client in negotiating the removal of late fees and attorney fees from his tenant ledger. The client is now working full-time, and he and his four children still live at the property that was the subject of the eviction case.

Q. What does a typical weekly or monthly commitment look like for a volunteer? How many hours? How many clients? Completely at the discretion of the volunteer. Some work several hours a week. Our

system generally works through opportunities to provide advice and brief services through clinics, so one volunteer may help a number of different clients over a month if they work at one or more clinics.

Q. What do volunteers say they enjoy most about serving clients through your organization?

Most often heard—they love what they are empowered to do in our clinics.

We have an extensive outreach program which allows volunteers to participate in regular clinics in a variety of locations around Pierce County.

Q. Are you currently in need of volunteers? If so, how can legal professionals reach out to get involved?

Always. Our volunteer program coordinator is Melissa Wolkenhauer, who can be reached at melissaw@tacomaprobono.org.

Q. What gaps in our existing system(s) does your organization fill?

The largest gap is simply access. No one who is experiencing poverty can afford to hire an attorney for a civil legal issue. Family law issues are the most egregious example. There are multiple services provided by our organization and others, but accessing them in a timely, appropriate fashion is extremely difficult for our client population. We help to fill this gap by providing an extensive outreach program, in-person intake hours,

and availability of an online application.

Q. What would you most want readers to know about the type of work your organization does and the type of people who need your services?

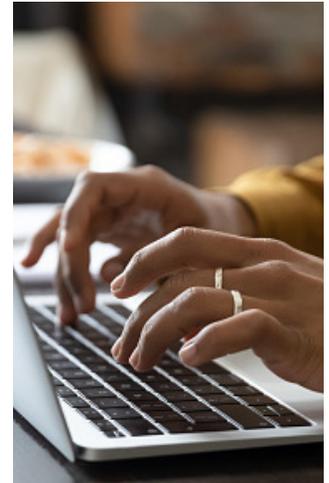
We are focused on ending inequality and racism in our community one person at a time by solving issues they would otherwise not have been able to address through timely, professional,

appropriate, wraparound services. The people we help are experiencing crisis, often close to becoming homeless, and face multiple barriers to finding help. [BN](#)



LEARN MORE

To learn more about the work done by Tacoma Probono Community Lawyers and to get involved, please visit <https://tacomaprobono.org/>.



WASHINGTON STATE
BarNews



GET PUBLISHED!

WE ARE LOOKING FOR A FEW GOOD WRITERS

Are you interested in writing for *Washington State Bar News*? Please scan the QR code to fill out our questionnaire, and someone from the *Bar News* team may reach out to you.

QUESTIONS?
Please contact wabarnews@wsba.org.

JAMS Washington State Mediators & Arbitrators

Highly Skilled Neutrals with Deep
Subject Matter Proficiency



Judge Chad
Allred (Ret.)



S. Karen
Bamberger,
Esq.



Judge Regina
S. Cahan (Ret.)



Judge William
L. Downing
(Ret.)



Judge Deborah
D. Fleck (Ret.)



Judge Helen L.
Halpert (Ret.)



Justice Faith
Ireland (Ret.)



Judge J.
Kathleen
Learned (Ret.)



Judge Dean S.
Lum (Ret.)



Judge Richard
F. McDermott
(Ret.)



Lawrence R.
Mills, Esq.



Comm.
Bradford G.
Moore (Ret.)



Douglas S.
Oles, Esq.,
FCI Arb



Judge Jeffrey
Ramsdell (Ret.)



Judge Judith H.
Ramseyer (Ret.)



Judge J.
Wesley Saint
Clair (Ret.)



David M.
Schoegg, Esq.



Comm. Eric B.
Watness (Ret.)



Lish
Whitson, Esq.

FEATURE

WHAT THEY GAVE EACH OTHER



What happened when a lawyer connected two clients with similar cases

BY TYLER GOLDBERG-HOSS

“No need to call me back, but I wanted to say congratulations. I’m so happy for you and for Sasha. She said you did an amazing job and that you deserve to hear that from more than one person. So, congratulations. All right. Bye.”

I have two voicemails saved on my phone. One is from my father. The other is from my former client, Sarah.

Sarah left that message the day she learned that Sasha—another mother I’d represented in a separate birth injury case—had reached a settlement in her son’s lawsuit. Sarah knew because Sasha had texted her after the mediation.

It might seem improbable that two

women, each the mother of a child catastrophically injured during birth, would not only know each other but become close enough to lean on one another during the most emotionally charged stages of their cases. But that’s exactly what happened. And it happened because of a suggestion from a professional acquaintance of mine named John Fountaine. John is a vocational expert I’ve worked with for years, and I’ve developed trust in his judgment. So much so that I rarely retain anyone else to do the job that I know and trust John can do.

It was February 2024, and I was working on two separate birth injury cases. Both involved young boys who had suffered profound brain injuries during labor and delivery. I had retained John to help assess the likely future economic damages in each case.

During one of our phone calls, John paused. “Have you ever thought about connecting the two moms?” he asked.

It caught me off guard. My mind jumped to the potential risks: What if one case went well and the other didn’t? What if they compared outcomes? What if I was unintentionally inviting heartache? What else could go wrong?

John didn’t have the answers to these questions. He’s just the guy with the idea. But it was a compelling idea. I thought more about it, but not too much more. Why not? Sure, something could go wrong. But what about all the potential things that could go

Sarah (left) and Sasha (right), two moms involved in birth injury litigation, were connected through their former lawyer Tyler Goldberg-Hoss.



Tyler Goldberg-Hoss is a partner at CMG Law, which limits its practice to representing plaintiffs in medical negligence claims.

CONTINUED >

EVEN SUPERHEROES ARE BETTER WITH A TEAM

From Wonder Woman to Captain America, even the most powerful heroes are more successful when they team up with others to help make the world a better place. ALPS champions attorney wellness because we believe protecting you is as important as protecting your firm.

Proudly endorsed by **The WSBA**



alpsinsurance.com



What They Gave Each Other

CONTINUED >

right? What if each of these mothers, and their sons, could benefit from connection?

And I trusted these two wonderful, strong, brave mothers. So, (with their permission, of course) I did it.

Sarah lives in the city. She's married, working, raising her special-needs son and a younger daughter. Sasha lives in the country. She's going through a divorce, working two jobs, and raising her son and his older siblings.

Soon after I connected them, they became close. I realized that neither of them really had someone to empathize with. Primarily, in being the mother of a child with profoundly different abilities in this world. Secondly, in going through birth injury litigation. Ups and downs, stresses, having to talk with me regularly ... you know, *tough stuff*.

Sarah and Sasha started texting, then meeting for coffee, even though they lived two hours apart. They began leaning on each other in a way only another mother of a medically complex child could understand.

When it came time to resolve Sarah's case that summer, she was a force. She took the lead interviewing trustees for her son's special needs trust. I've worked with many families during that process, and usually I'm the one guiding it—helping them ask the right questions, providing structure and reassurance. Not Sarah. She asked the tough questions, did the research, and ran the numbers. I was in awe. So was Sasha, who was watching closely and learning.

Fast forward to the spring of 2025. It was Sasha's turn. She was leaning on Sarah's expertise; she had just been through it. And finally, we reached resolution. I was spent after a day sitting with the emotional weight of everything that went into the case, and how it must have felt for Sasha. We figured out a way to make her son's life better.

Then I received that voicemail from Sarah. And it was hard not to get a little emotional.

By this time, Sarah had become an indispensable resource for Sasha. Sasha told me how lucky she felt to have Sarah's support and advice. We joked that Sasha was like

me: someone who appreciates a shortcut when someone trustworthy has already done the hard work. Sasha didn't need to research every trustee option—Sarah had already done it. And Sasha had more than enough on her plate. She chose the same trustee. Of course she did.

Now it's July. Sarah invited me and my wife to her daughter's birthday party. My wife and I drove down to their new home, purchased with settlement funds. It is all on one floor, with wide hallways. Her son has all the room he needs to walk around in his gait trainer or be pushed in his stroller. He has his own room, with his own bed designed to be safe for children like him. They've poured concrete ramps in the front and the back. Their new wheelchair-accessible van was parked out front.

Not long after we arrived, Sasha pulled up with her son and his siblings. The boys sat next to each other, reaching out to touch hands. Sarah's son has a screen mounted to his wheelchair that lets him communicate with his eyes. He started with three options. Now he scrolls through multiple screens, each with nine choices. I was amazed—but not surprised. I'm sure Sarah has already told Sasha about it, and how to work with the trustee to get it (and she's probably told the trustee how to get insurance to pay for it).

Sarah, Sasha, and I stood next to the boys, talking. "Isn't it strange," Sarah commented to Sasha, "I got so used to talking with Tyler every day. And then. It just stopped." We laugh. That is kind of how it goes. It's intense, and then it's over. But not entirely. At least not with these two.

Eventually, Sasha and her kids returned home—to the house she bought with her settlement funds. Sarah and I are looking forward to visiting again soon.

It's true that the financial resolutions of Sarah and Sasha's cases have provided real support. Homes have been purchased. Trusts have been set up and funded. Both moms now spend more time with their sons and less time just trying to survive.

But beyond that, they have each other. They share tips, go to the zoo, text daily, and trade ideas about therapies and equipment. They have someone who *gets it*.

I don't know that I've made a better decision in any case than the one I made when I listened to John and introduced those two remarkable women. **BN**

Experience Matters!



ANNOUNCING OUR NEW NAME: HILYER INVEEN DISPUTE RESOLUTION

Judge Bruce Hilyer (ret.) and Judge Laura Inveen (ret.) offer their many years of experience to provide a diligent, inclusive and thoughtful approach to resolve your disputes.

Under our new name, we continue to provide mediation, arbitration, special master and litigation consulting services.

H | I | D | R

HILYER INVEEN DISPUTE RESOLUTION

CALL: 206.623.0068 | EMAIL: info@HilyerADR.com
Or visit www.HilyerADR.com for more information and scheduling



PALACE LAW
JUSTICE FOR THE INJURED IN EVERY COMMUNITY

Refer Your Clients to Palace Law

For more than 30 years, we've secured the highest L&I awards and top personal injury outcomes. Expect the best rating from your referred client.

Over 1500 reviews support decades of success for workers' compensation and personal injury cases that are referred to Palace Law.

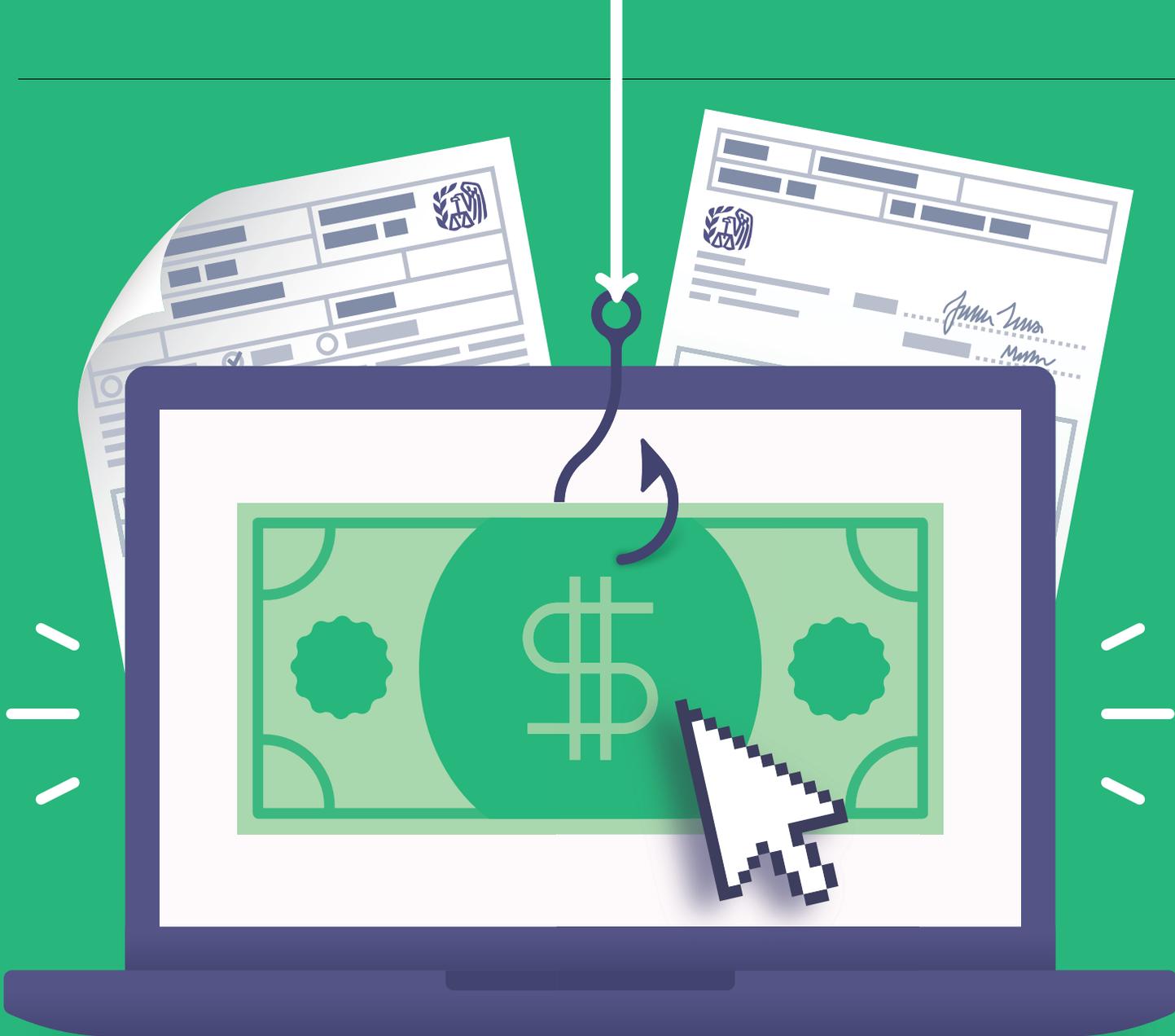


National & Statewide Leadership, 30 years of success, millions recovered:

*WSBA President, Treasurer, and Board of Governors, WSAJ Board 14 years
ABA House of Delegates & President-Elect National Conference of Bar Presidents
\$182 million in recovery in the last 3 years. Over \$17 million for a construction site death case.*

PALACELAW.COM

*Multi-million-dollar personal injury and workers' compensation victories.
Patrick@palacelaw.com or call 253.627.3883*



FEATURE

DECEIVED AND DEDUCTIBLE:

The IRS Clarifies Theft-Loss Relief

BY MANOGJNA VADDIRAJU AND DIANDRA ZUNIGA

Financial theft can take many forms, but in today's world, fraudulent schemes are becoming more and more elaborate. Oftentimes, scammers not only attempt to steal financial property but also pose as the very agents who assist in recovering and safeguarding such property.



There was a time when victims of financial theft could find significant relief in the federal tax code via theft loss deductions. In 2017, however, the Tax Cuts and Jobs Act (TCJA) significantly restricted these deductions—allowing them only to the extent the losses were related to a federally declared disaster.

In March 2025, however, the Internal Revenue Service (IRS) eased these restrictions by issuing an IRS Chief Counsel Memorandum (CCM) that identified situations in which taxpayers can, once again, deduct losses sustained from theft.

The authors, as volunteers with the University of Washington Federal Tax Clinic, work with clients who have suffered financial theft losses. In this article, we will provide an overview of the shifting landscape of tax law and loss limitation. We will also examine some real-world examples from tax clinic clients to illustrate how this new memo can apply to losses from scams and highlight how scammers are targeting victims in ever more sophisticated ways.

A Shifting Landscape: From *Roberts* to Now

ROBERTS V. COMMISSIONER—THEFT LOSSES AS NON-REPORTABLE INCOME

Before the IRS published the CCM, taxpayers often relied on *Roberts v. Commissioner*, 141 T.C. 569 (2013), to claim that amounts reported as income due to a third-party forgery or scam should not be attributed to the victim. Instead, such amounts should be characterized as theft losses, relieving the victim of the obligation to report the fraudulent withdrawals as income.

In *Roberts*, the taxpayer's wife forged his signature on requests to withdraw funds—approximately \$37,000—from two IRAs in Roberts' name in 2008. (*Roberts*, 141 T.C. at 571). Taxpayer Roberts was not aware of the forged requests or that distributions in his name were made until he received the forms 1099-R reporting income from distributions made from his IRAs in 2009. (*Id.* at 573). The IRA distributions were made to a joint account that was only used by Roberts' wife, which she used to make large expenditures, including establishing a separate household from Roberts. (*Id.*). Furthermore, Roberts' wife electronically filed his 2008 income tax returns, which she had done in the past, indicating his single filing status, without reporting the IRA distributions made in his name. (*Id.* at 574). The IRS argued that since IRA distributions were made in Roberts' name, he was the distributee pursuant to Internal Revenue Code (IRC) Section 408(d)(1), and that taxpayer Roberts was

also liable for the additional tax on early distributions from qualified retirement accounts, under IRC Section 72(t). (*Id.* at 579.)

In *Roberts*, the Tax Court explained that although the payee or distributee of a qualified retirement plan is usually the participant or beneficiary entitled to receive the funds, this is not always the case. Under IRC Section 408(d)(1), the taxable distributee may be someone other than the person in whose name the distribution appears. Applying this principle, the Tax Court found that because the petitioner did not authorize and “did not receive any benefit, directly or indirectly,” from the distributions made from the IRA to his ex-wife, he was not a payee or distributee for purposes of Section 408(d)(1). Accordingly, he did not fail to report income from those distributions.

TAX CUTS AND JOBS ACT—LIMITING THEFT LOSSES

The enactment of the TCJA in 2017 ushered in some of the most sweeping changes to the IRC in three decades. Among its many revisions, the TCJA significantly curtailed the scope of theft loss deductions available under Section 165. Prior to 2017, individuals could deduct uncompensated theft losses, including losses resulting from embezzlement, Ponzi schemes, or identity theft, provided the losses were not covered by insurance or otherwise reimbursed. This deduction had long served as a remedial provision, allowing taxpayers to mitigate the financial impact of criminal activity.

The TCJA fundamentally altered this landscape by limiting the deduction for personal casualty and theft losses to only those arising from federally declared disasters. The statutory amendment, codified in Section 165(h)(5), effectively eliminated the ability of individual taxpayers to deduct most theft-related losses between tax years 2018 and 2025. As a result, victims of common thefts, including investment scams, were no longer entitled to claim deductions unless the theft occurred in connection with a federally declared disaster area.

In July 2025, the One Big Beautiful Bill Act made this approach permanent and expanded it to state-declared disasters as well. As a result, most scam victims can no longer use the personal theft-loss rules and instead



MORE ONLINE

For more information about the University of Washington Federal Tax Clinic, visit www.law.uw.edu/academics/experiential-learning/clinics/federal-tax.



CONTINUED >

Deceived and Deductible: The IRS Clarifies Theft-Loss Relief

CONTINUED >

must rely primarily on the guidance provided in the March 2025 CCM.

MARCH 2025 IRS CHIEF COUNSEL MEMO— A PATH FORWARD

As previously noted, the IRS issued its CCM in 2025. In doing so, the IRS shed light on certain situations in which theft loss deductions from scams would be allowed under Section 165(c):

- the taxpayer must have sustained the loss due to illegal taking of property under relevant state law;
- the taxpayer must have no reasonable prospect of recovery; and
- the loss must have been incurred during a profit-motivated activity.

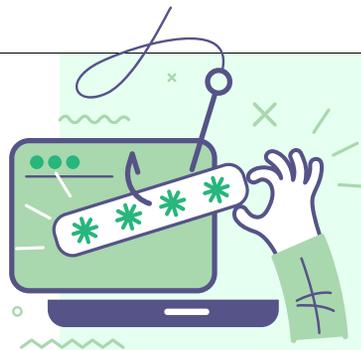
The memo clarifies that to the extent theft losses are deductible under Section 165, they should be treated as though sustained in the year the taxpayer *discovered* the loss and the deductible amount should be *limited to the taxpayer's basis*—generally the amount of the taxpayer's own money originally invested in the property.

The CCM also indicates that while personal theft losses have now been largely disallowed, theft losses arising from transactions entered into *for profit*, such as investment activity, remain potentially deductible. In fact, withdrawals from brokerage accounts invested in securities and other financial products are generally considered *prima facie* evidence of a profit motive. Further, the analysis for determining a profit motive depends upon whether the fraudulent authorization occurred without the knowledge of the victim, as in *Roberts*, or whether the victim was scammed into authorizing a fraudulent distribution.

In cases like *Roberts* where the distributions were not authorized by the victim, the relevant analysis is to consider the victim's motive when they entered into the investment initially. In instances where the victim authorized a distribution but did so because they were misled by a scam, the relevant inquiry is their motivation at the time of authorization. If a profit motive can be established at that point, the transaction is treated as one entered into for profit and therefore deductible, regardless of any intermediate steps taken by the scammer.

The memo also examines several fraud scenarios that share some key features: they constituted criminal violations in the state where the victims resided, the identities of the scammers were unknown, transfers were irreversible, losses were not covered by insurance, victims had no legal recourse, and law enforcement stated there was little to no prospect of recovery. Let's take a closer look at one of them, the Compromised Account Scam.

In this scenario, Taxpayer 1 was a victim of a "compromised account scam" in which a scammer claiming to be a "fraud specialist" convinced the victim that one of their investment accounts was compromised and advised the victim to quickly move their funds to a new "safe" account. In reality, the scammer controlled this new "safe" account and immediately drained it and transferred the stolen money overseas. When the taxpayer discovered that the account was empty,



While the broader rules for personal theft losses remain restrictive, the IRS Chief Counsel Memorandum (CCM) gives victims of investment scams a clearer pathway for claiming relief under Section 165.

they contacted their financial institution and law enforcement only to be told that there was little to no prospect of recovery—a prerequisite for a taxpayer seeking a theft-loss deduction under Section 165.

In the CCM, the IRS explains that because (1) the victim was scammed into authorizing the transaction and (2) the motivation behind the transfer of funds was to *safeguard* an investment and to *reinvest* in a similar manner, there was a profit motive at the time of the transaction, so the loss would qualify under Section 165. The memo allowed the deduction in this case to the full extent of the stolen funds, noting that the taxpayer would be liable for income tax on the IRA distributions and also any gain or loss on non-IRA distributions.

While the broader rules for personal theft losses remain restrictive, the CCM gives victims of investment scams a clearer pathway for claiming relief under Section 165. Its guidance helps ensure that taxpayers misled into moving their investments are not left without any tax remedy.

REAL WORLD APPLICATION— FEDERAL INCOME TAX CLINIC

Now let's take a look at some real-world examples from our work with the University of Washington Federal Income Tax Clinic earlier this year.

CASE 1: *The Gold Coins Scam*

One of our clients at the tax clinic had factual circumstances very similar to Taxpayer 1. The client was contacted by a scammer claiming to be a fraud specialist, who convinced them to withdraw \$300,000 from their investment portfolio at their financial institution, and advised them to purchase gold coins so that they could prevent impending theft. The scammer convinced the client not to speak to family or other advisors about the issue, highlighting security concerns. Once the client withdrew the funds and purchased the coins, the scammer's accomplices retrieved the coins and assured the client that a federal marshal would bring a check to reimburse them. When no one showed up to do so, the client contacted the local authorities. After a report was made, the FBI conducted an investigation and informed the client that there was little to no prospect of recovery.

It was clear that the criteria had been met

Diandra Zuniga is an associate attorney at Ogden Murphy Wallace. Her practice focuses on estate planning and probate, and the tax issues that frequently arise in these areas. She holds an LL.M. in taxation from the University of Washington School of Law, and a J.D. from Seattle University School of Law. She received her B.A. in political science: political economy from the University of Washington. Zuniga was a student attorney in the UW Low Income Tax Clinic while attending the UW and during her third year of law school.



Manogjna (Mona) Vaddiraju is an associate attorney with Kirschner Rychlich PLLC, where her practice focuses on estate and tax planning. She holds an LL.M. in taxation, with distinction, and a J.D. from Temple University Beasley School of Law, where she also earned a Certificate in Business Law. She is multilingual, speaking five languages including Telugu (which is her native language), Hindi, and Marathi, and is actively engaged in community service initiatives, including the Federal Low Income Tax Clinic at UW.



in this case, since (1) the loss was a result of a fraudulent scheme, (2) the motive was to safeguard the investments from theft, and (3) there was no reasonable prospect of recovery. However, the client's investments included both traditional and Roth IRAs, and the memo did not address the issue of basis in a Roth. The Treasury Regulations state that, in general, basis in distributions from Roth IRAs are the fair market value of property at the time of distribution, regardless of whether they are qualified distributions. Treas. Reg. 1.408A-6, Q16 and A-16.

We assisted the client in preparing a disclosure statement to file with their tax return for the year. After filing, we were notified by the client that the IRS issued the full income tax refund that was calculated based on the full amount of the theft loss deduction.

CASE 2: Check Fraud Scam

Another client at the tax clinic was contacted by a Microsoft security expert (who turned out to be an impersonator) when they first encountered login issues on their new laptop. The client was soon convinced by the imposter that their IRA with their investment management company was compromised—that several fraudulent transactions had been initiated from the client's IRA but that the client could reverse such transactions. The imposter put them in contact with a purported agent of their investment management company's "Fraud Prevention Department," who was also an imposter. The two scammers were able to isolate

the client from contacting others (such as their spouse, family, and bank) by convincing them that their laptop and their phone were not secure and that any such attempts could result in them losing all their money and/or the perpetrators getting away with the fraudulent transactions. The fake investment management agent shared that the client's current IRA advisor was likely the source of the fraud, that he had likely tried to initiate other transactions to a bank in a foreign country from their IRA.

The client was instructed to withdraw the entirety of their IRA balance and send blank checks to a supposed agent of the Social Security Administration, who would reinvest such amounts to a different IRA with the same investment management company. The client followed through and deposited their IRA distributions to their personal bank account and made checks to the SSA agent, which the client mailed to the agent.

The client was soon informed of withdrawals made to their bank account in the sum of over \$1.5 million and the fake investment management agent assured the client that the money would be reinvested. However, when the client finally made inquiries to the investment management company (using the official customer service number on the official company website), the client was informed that they had no accounts with the investment management company (new or old). The client took precautionary measures to safeguard from further fraud and contacted the authorities (including the Secret Service, United States Postal Inspection Service, and the County Sheriff's Office).

Similar to Case 1, this taxpayer also meets the requirements set forth in the IRS CCM: (1) the client sustained a loss due to theft perpetrated by imposters; (2) the theft loss was incurred by the client in a transaction entered into for profit, as their sole intention in withdrawing funds from their IRA was for reinvestment purposes; and (3) as both federal and local authorities attest that they will likely be unsuccessful in catching the perpetrators, there is no chance of recovery in the current year, if ever. Lastly, the client's basis in the distributions is limited to their adjusted basis in the property stolen. The adjusted basis in cash, which is the property stolen in this case, would be the nominal value of such moneys subject to theft. Thus, the deduction amount here would equal the amount considered and included in their income for federal tax purposes, that is, the entire amount of over \$1.5 million. See, CCM, IRC §165(b) and Treas. Reg. §1.165-1(c).

We prepared a disclosure statement to be included with the client's tax filing for the year. After the filing, the client notified us that the IRS had issued a full refund equal to the amount that the client claimed in their filing.



It is important to provide recourse for victims of financial crimes as well as relief from additional unwarranted burdens.

CONCLUSION

As technology and artificial intelligence improve, scammers will find new and inventive methods of defrauding people and committing financial crimes. While the first line of defense against such scams from affecting people on a large scale includes congressional action, public awareness, and individual responsibility to secure one's finances, it is also important to provide recourse for victims of financial crimes as well as relief from additional unwarranted burdens. In the absence of congressional action to provide such relief for taxpayers, the new IRS Chief Counsel Memorandum provides a small safe harbor for certain victims of theft and illegal financial taking. [BN](#)

COVER
STORY

#LawTok U:

*How TikTok is Revolutionizing
the Pathway to Practice*

BY RACHEL HAY



#LawTok U: How TikTok is Revolutionizing the Pathway to Practice

CONTINUED >



The stuff TikTok is made of—filters, hashtags, clickbait, brand deals, and clout chasing—may seem antithetical to the high-minded and solemn nature of our practice.

Averie Bishop, for example, rose to TikTok stardom while she was a student at Southern Methodist University Dedman School of Law by streaming her study sessions as well as posting about her pageant preparation and later work as Miss Texas.¹⁰ Today, Bishop has over 770,000 followers and continues to rack up thousands of views on her videos, where she posts about her political advocacy and bar studies.

Several successful former student-influencers have even turned their lawtokking into full-fledged careers. For instance, lawfluencer Christina Stratton began her career as an influencer by posting “get ready with me” and “outfit of the day” videos during her 1L year at Pepperdine Caruso School of Law, along with clips of her beloved dog, Franklin.¹¹ Although Stratton passed the bar after graduation, she opted to begin her career by pursuing the less conventional path of working as a digital content creator.¹²

The stuff TikTok is made of—filters, hashtags, clickbait, brand deals, and clout chasing—may seem antithetical to the high-minded and solemn nature of our practice. No doubt, there is something uncanny, not to say “cringe,” about opening TikTok to find a judge lip-synching to Rihanna or a Big Law associate humblebragging about how they spent their annual bonus.¹³ Even lawfluencers themselves appear conflicted about whether law students should be creating #LawTok content. In a recent viral video that sparked a firestorm of comments and response videos, a D.C. attorney urged students to “stop trying to be an influencer,” explaining, “You did not go to law school, get your degree, [and] pay hundreds of thousands of dollars to risk your legal reputation on TikTok.”¹⁴ In fact, one well-known lawfluencer, Eni Popoola, was given the ultimatum from her corporate law firm to either give up her TikTok account or resign from her associate position.¹⁵ She elected to leave the firm.¹⁶

No one disputes that the advent of #LawTok begets a host of normative quan-

daries and regulatory issues. But, speaking plainly, anyone who thinks that students or young lawyers are simply going to stay off the app while the issues iron themselves out is very far removed from their law school days indeed. Instead of ruminating about how to keep law students off TikTok or similar platforms, legal institutions might find that their efforts are better spent counseling students how to maintain a professional identity while existing in these digital spaces.¹⁷

The Washington Rules of Professional Conduct stress that a lawyer is not merely a representative of clients and an officer of the court, but “a public citizen having special responsibility for the quality of justice.”¹⁸ On balance, it seems that #LawTok, harnessed responsibly, could help young lawyers realize this promise. But even if one reasonably believes otherwise, the fact remains that the once seemingly impermeable barrier between “law student” and “internet celebrity” is becoming ever more porous. We should think about what lessons we can take from the law students who are bringing what they learn in the classroom to the internet masses. **BN**

NOTES

1. See Emily Tomasik & Katerina Eva Matsa, “1 in 5 Americans Now Regularly Get News on TikTok, Up Sharply From 2020,” *Pew Rsch. Ctr.* (Sept. 25, 2024), www.pewresearch.org/short-reads/2024/09/17/more-americans-regularly-get-news-on-tiktok-especially-young-adults/.

2. See Meghan Tribe, “Big Law Lawyers Are on TikTok. Their Firms Are Conflicted,” *Bloomberg Law* (May 16, 2023), <https://news.bloomberglaw.com/business-and-practice/big-law-lawyers-are-on-tiktok-their-firms-are-conflicted>; see also *TikTok Inc. v. Garland*, 604 U.S. 56, 85, 145 S. Ct. 57, 75, 220 L.Ed.2d 319 (2025) (Gorsuch, J., concurring) (“Speaking with and in favor of a foreign adversary is one thing. Allowing a foreign adversary to spy on Americans is another.”).
3. Anthony Song & Justine Rogers, “Lawfluencers: Legal Professionalism on TikTok and YouTube,” 37 *Geo. J. of Legal Ethics* 507, 515 (2024) (citing Theresa M. Senft, “Microcelebrity and the Branded Self,” in *A Companion to New Media Dynamics* 346, 346 (John Hartley, Jean Burgess & Axel Bruns eds., 2013)).
4. Song et al. at 515; see also Wailin Wong et al., “The Origins of the Influencer Industry,” *NPR* (Apr. 24, 2023), www.npr.org/2023/04/17/1170524071/the-origins-of-the-influencer-industry.
5. See, e.g., Reese (@reeseantdeal), “(I’m a feeble minded woman) #lawschool #1L #2L #3L #lawyer #law #conlaw #exam #finals,” TikTok (Apr. 30, 2025), www.tiktok.com/@reeseantdeal/video/7499257174011464990 [<https://perma.cc/4XUX-8F7J>].
6. See Jennifer Schuessler, “Oxford’s 2024 Word of the Year Is...Brain Rot,” *N.Y. Times* (Dec. 1, 2024), www.nytimes.com/2024/12/01/arts/brain-rot-oxford-word.html.
7. See, e.g., Daria Rose (@dariosereal), “The Supreme Court picked the President in Bush v. Gore: Explained by a Yale Law Grad,” TikTok (Oct. 20, 2024), www.tiktok.com/@dariosereal/video/7428044079419755807 [<https://perma.cc/7KKN-L553>].
8. See Louise Matsakis, “TikTok Finally Explains How The ‘For You’ Algorithm Works,” *WIRED* (June 18, 2020), www.wired.com/story/tiktok-finally-explains-for-you-algorithm-works/.
9. See, e.g., Christiana de Borja (@christianadeborja), “1L Big Law Summer Associate Recruiting 101,” TikTok (Nov. 8, 2023), www.tiktok.com/@christianadeborja/photo/7299296717004967198 [<https://perma.cc/F598-QN7A>]; see also, e.g., Caroline Remick (@sconeclone), “Fully Briefing the Case and Still Bombing the Cold Call,” TikTok (Feb. 21, 2024), www.tiktok.com/@sconeclone/video/7338112743817399594 [<https://perma.cc/66V9-7QSS>].
10. See, e.g., Averie Bishop (@averiebishop), “law library ASMR,” TikTok (Oct. 6, 2021), www.tiktok.com/@averiebishop/video/7016042110625402117 [<https://perma.cc/B6MS-84JX>]; see also, e.g., @averiebishop, “Lets get to work Texas !! 🇺🇸🇺🇸🇺🇸 #missamerica #texas,” TikTok (June 26, 2022), www.tiktok.com/@averiebishop/video/7113666750801136942?_r=1&_t=ZP-91US8LOXSBj [<https://perma.cc/65KW-CBAY>].

11. See Amanda Perelli, "How A Law Student Channeling 'Legally Blonde' Built a TikTok Audience of Over 300k Followers and Got Deals With Brands Like Juicy Couture and Alo Yoga," *Business Insider* (Apr. 11, 2022), www.businessinsider.com/law-student-tiktok-and-rise-of-college-influencers-making-money-2022-3.
12. See Christina Stratton (@christinastrat), "Better Than I Could've Planned," TikTok (Oct. 8, 2024), www.tiktok.com/@christinastrat/photo/7423586563210120494 [https://perma.cc/M9ZM-PUTW]; see also, e.g., Rachel Chapman, "Meet Your New Bestie, Callie Wilson," *Elite Daily* (last updated Feb. 20, 2024) (summarizing the journey of influencer Callie Wilson, who built her brand by posting TikToks as a law student during the pandemic).
13. See Alex Ebert, "TikTokking NJ Judge Suspended for In-Chambers Lip Sync Videos," *Bloomberg Law* (Oct. 8, 2024), <https://news.bloomberglaw.com/litigation/tiktokking-nj-judge-suspended-for-in-chambers-lip-sync-videos>.
14. See @domhdc, "Law students STOP trying to be influencers...Sorry! #biglaw #lawtok #lawschool #legal #barexam #lawyer #attorney #attorneysoftiktok," TikTok (Mar. 11, 2025), www.tiktok.com/@domhdc/video/7480687039365762347 [https://perma.cc/MD6C-TQFM]; see also, e.g., Harvard Law School, *Professionalism Guide* (last accessed June 4, 2025), <https://hls.harvard.edu/bernard-koteen-office-of-public-interest-advising/opia-job-search-toolkit/professionalism-guide/> (advising prospective summer associates and interns against posting pictures or videos about their employers or jobs).
15. See Eni (@enigivensunday), "Life Update: I Resigned From My Position at a Corporate Law Firm," TikTok (Mar. 21, 2023), www.tiktok.com/@enigivensunday/video/7213015627143892267 [https://perma.cc/2VXK-YZ7X].
16. *Id.*
17. See, e.g., Julia Jacobs, "Sean Combs's Legal Team Takes His Case to TikTok," *N.Y. Times* (Sept. 12, 2024), www.nytimes.com/2024/09/12/arts/music/sean-combs-diddy-tiktok-lawyers.html (reporting on TikToks posted by Sean Combs's attorney, Teny Geragos, who defended the posts by stating, "I don't see the difference here in doing this video versus going on TV. No one would bat an eye if I had gone on NewsNation or CNN."); see also, e.g., CT Jones, "Karen Read Murder Trial: Inside TikTok's Newest True Crime Obsession," *Rolling Stone* (July 1, 2024), www.rollingstone.com/culture/culture-features/karen-read-murder-trial-tiktok-charges-1235050976/.
18. See *Preamble and Scope: A Lawyer's Responsibilities*, Washington Rules of Professional Conduct.

APPEALS

AND EMBEDDED APPELLATE COUNSEL

Jason W. Anderson
Ashley D. Burman
Nicholas A. Carlson
Linda B. Clapham
Rory D. Cosgrove

James E. Lobsenz
Gregory M. Miller
Isaac C. Prevost
Sidney C. Tribe

CARNEY
BADLEY
SPELLMAN

☎ (206) 622-8020
✉ info@carneylaw.com
🌐 carneybadleyspellman.com

Construction | Business | M&A | Employment | Litigation | Appeals | Real Estate | Startups | Estate Planning

R&C

ROGERS & COVER, PLLC



Rogers & Cover
have been
fighting for justice
for survivors of
sexual abuse for
over 30 years.

Passionate Advocacy. Successful Results.

705 Second Ave, Suite 1500 Seattle, Washington 98104
www.jsrogerslaw.com - 206.621.8525

FEATURE



WASHINGTON LAWYERS TURN UP THE VOLUME AT LAW ROCKS SEATTLE

ARTICLE BY NOEL S. BRADY | PHOTOS BY LOGAN JENKINS

The jury's back, and the verdict is guilty—guilty of bringing down the house, that is. A band of mostly Seattle-area attorneys, The Funk Docket, couldn't deny the charge after delivering the groove with a blistering bass at the second Seattle showing of Law Rocks, an international

MORE ONLINE

Watch a video of the event at <https://lawrocks.org/news/2025/sea#video>

battle of bands made up of lawyers competing for charity.

A seminal Seattle venue, The Crocodile filled to nearly max capacity on a September evening as legal professionals in polos and pencil skirts twizzled their gin and tonics in collegial anticipation for fellow litiga-



The raucous crowd at The Crocodile for Law Rocks Seattle.



AT LEFT:
Legal Issues, featuring talent from The Law Office of Andrew C. Huff, Hoover Law Group, and Law Office of Raymond Ejarque, rocked for Seattle Humane Society.

tors to take the stage.

Asked which came first: the desire to be a lawyer or a rock star, Claire White replied, “To be a lawyer, for sure.” White sings like a willowy Patti Smith for her band of attorneys called Force Majeure. “It’s fun to get dressed up and prance around a stage for the night. But, as lawyers, we get to use our skills and our voices every day to speak up for our clients and for our communities.”

Force Majeure stunned the audience with a languid version of “Dancing Barefoot,” a 1979 song by Patti Smith. The band formed in 2018 with White and a core group

of her colleagues at K&L Gates in Seattle. Since then, they’ve played a few of their firm’s social engagements and now twice at Law Rocks.

“It was a great way to meld our personal interests as lawyers and musicians, and to support [our chosen charity] Northwest Immigrant Rights Project and the really important and impactful work they are doing for our immigrant communities every day,” White said. “We’re excited for Law Rocks 2026!”

Law Rocks began in London in 2009 as a way for members of the legal profession to showcase their musical alter egos while raising money for causes they care about. The concept struck a chord—quickly spreading to Los Angeles, New York, San Francisco, and a dozen other cities around the world. Each event pairs bands of legal professionals with local nonprofits, creating an evening that blends rock, rivalry, and philanthropy.

This year’s Seattle show drew hundreds of attendees and six bands composed of attorneys, judges, and legal staff from around the region. The night opened with the



ABOVE:
Force Majeure, featuring talent from K&L Gates, on stage at The Crocodile.

CONTINUED >



The Funk Docket, featuring talent from Schroeter Goldmark & Bender, Keller Rohrback, the Law Offices of Edward H. Moore, and the Law Offices of L.M. Jones, defended their title as Law Rocks champs.



AT LEFT:
The Orphan 40, featuring talent from Pfau Cochran Vertetis Amala.

Washington Lawyers Turn Up the Volume at Law Rocks Seattle

CONTINUED >

off-kilter duo The Lumberjax, hamming it up through Black Sabbath’s “War Pigs” and George Michael’s “Faith.” From classic rock to pop to funk to indie, the night offered something for everyone — with all proceeds benefiting local nonprofits.

For Craig Sims, drummer and former trial lawyer for Schroeter Goldmark & Bender, The Funk Docket is more than a band—it’s a community. “We come from different corners of the legal world,” Sims said, “but music breaks down all the hierarchies. It’s just rhythm, friendship, and purpose.”

The group’s lineup includes public defenders, firm attorneys, and in-house counsel united by a love of 1970s funk and rhythm & blues. Since their first Law Rocks appearance in 2024, the band has become a favorite among Seattle legal circles. On-stage, The Funk Docket lived up to its name. Through infectious renditions of Parlia-



ment’s “Give Up the Funk” and Gloria Gaynor’s “I Will Survive,” their rhythm section held the beat, while frontwoman Courtney Jones commanded the mic with the raw sensual energy of Chaka Khan.

Last year’s Law Rocks was a rock-n-roll rebirth for The Funk Docket’s guitarist Ed Moore, of counsel for Stritmatter Law. He grew up playing piano and bass guitar, but when his friend Sims called to offer him a spot in the band, he had to rummage through his closet to find a 1970s Les Paul guitar he bought decades ago and seldom used.

“I remembered just enough of the basic pentatonic or blues scale to pick it up and make sounds that didn’t annoy me com-

pletely,” Moore said. “I spent a lot of time just trying to get the basics of the electric guitar while we were all isolated due to the pandemic.”

After a year of home practice, Moore said, he found his chops and the nerve to play in front of his colleagues. “We’re trying to keep it going. The problem, I think, is you get too many lawyers and too many schedules.”

Each Law Rocks band selects a charity to champion. For The Funk Docket, Academy for Creating Excellence (ACE) was an easy choice, Sims said. Founded by Seattle educator Calvin Lyons, ACE focuses on empowering young Black men and boys through mentorship, leadership develop-

Noel S. Brady is a former newspaper reporter who spent nearly 20 years on the criminal justice beat. He has worked in WSBA’s Communication Department for 10 years. He can be reached at noelb@wsba.org.





AT LEFT:
Side Bar, featuring talent from King County Prosecuting Attorney's Office and Robert F. Cousins Attorney at Law.

ment, and academic support.

"We intentionally selected them last year, and we continue to partner with them this year as well, with the intention of raising funds and highlighting the organization to those who may not be aware of it," he said. "They're providing educational, emotional, and other related support for young men who need it between the ages of, I believe, 13 to 24."

"Their work is about building confidence and identity. They're not just preparing students for college—they're preparing them to lead in whatever space they choose. That mission resonates with us."

This year's Law Rocks Seattle raised \$105,000 for local charities. In addition to ACE, other organizations that benefited from the proceeds included Northwest Immigrant Rights Project, Rebuilding Hope, Seattle Humane Society, The Troy & Baden Biddle Foundation, and Teen Talking Circles.

AT RIGHT:
Judges' Choice Award Winners The Lumberjax, featuring lawyers from Christensen O'Connor Johnson Kindness, opened the show at The Crocodile.



A nonprofit corporation, Law Rocks has raised more than \$9 million for charity since its founding and toured 31 cities. Its mission is to promote music education for underprivileged kids and raise funds for local nonprofit organizations.

For some of the performers on stage at the Crocodile gig, Law Rocks is an opportunity to pursue old passions. Some even discover their creative pursuits can intersect

with their professional ones.

"The lawyering skills that helped us most on stage were the importance of full and deliberate preparation," said White of Force Majeure. "We were proud of how we played together, and we thought that our set showcased each of our bandmates' skills and individual contributions. That team-based approach also reflects how K&L Gates approaches lawyering and client service." **BN**



Ken Brewe

MIGHT AS WELL HAVE THE BEST...

Excellence in the practice of family law.

Your clients, colleagues and friends deserve nothing less than the best. Refer with confidence to Brewe Layman: **One of Washington State's preeminent family law firms.**

Brewe Layman is highly regarded regionally and nationally for our adept and tenacious representation in complex divorce-related matters involving significant estates, business entanglements, prenuptial agreements, contentious support issues, cohabitation conundrums and other family law-related topics.



BREWE LAYMAN P.S.
Attorneys at Law | Family Law

Seattle | Everett | Mount Vernon | 425.252.5167 | brewelaw.com

HOUSTON AUTO APPRAISERS

IACP Certified Auto Appraisal Services - Nationwide

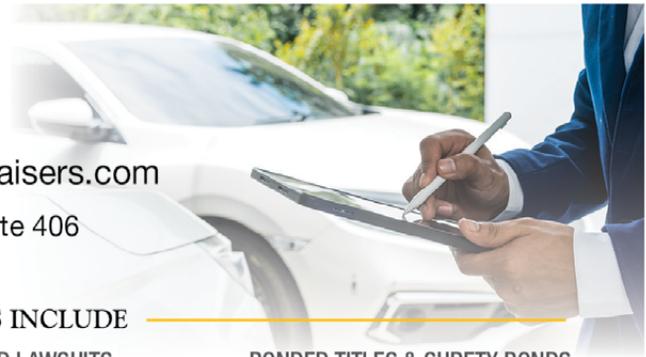


Office: 1-877-845-2368

Cell: 832-279-2368

Roy@HoustonAutoAppraisers.com

1300 Rollingbrook Drive, Suite 406
Baytown, Texas 77521



SERVICES INCLUDE

DIMINISHED VALUE APPRAISALS
TOTAL LOSS APPRAISAL CLAUSE
LOSS OF USE CLAIMS / LOSS OF REVENUE
INSURANCE POLICY APPRAISALS
CERTIFIED BANK LOAN APPRAISALS
DIVORCE / PROBATE / ESTATE APPRAISALS
LARGE LOSS CLAIMS OVER \$1 MILLION
IRS 8283 TAX DONATION APPRAISALS
EVENT DATA RECORDER (EDR) DOWNLOADS

CAR DEALER FRAUD LAWSUITS
COURT EXPERT WITNESS SERVICES
RESTORATION SHOP LAWSUITS
DTPA - DECEPTIVE TRADE PRACTICES ACT
MAGNUSON-MOSS WARRANTY CLAIMS
BREACH OF CONTRACT CLAIMS
CONSUMER PROTECTION SERVICES
DEALERSHIP OUT OF BUSINESS ISSUES
CERTIFIED MEDIATOR & ARBITRATOR

BONDED TITLES & SURETY BONDS
TITLE TRANSFERS / ESCROW SERVICES
STANDARD PRESUMPTIVE VALUE (-\$)
MECHANICS LIEN SERVICES
AUCTION TITLES / LOST TITLE ISSUES
ASSIGNED VIN NUMBER / CHASSIS NO'S
AUTO TITLE FRAUD / COD / LITIGATION
GRAY MARKET VEHICLE TITLE TRANSFER
BOAT / TRAILER / MOTORCYCLE TITLES

HoustonAutoAppraisers.com

On Board

NEWS FROM THE BOARD OF GOVERNORS & THE WSBA

 SAVE THE DATE

The next regular meeting is Jan. 16-17, 2026. To subscribe to the Board Meeting Notification list, email barleaders@wsba.org.

NOV. 14, 2025

A Summary of the Board of Governors Meeting

The WSBA Board of Governors determines the Bar's general policies and approves its annual budget.

MEETING TAKEAWAYS

1 Legal Profession Pipeline. The Board held its annual discussion with the deans of Washington's law schools and the chair of the Law Clerk Board to talk about trends, opportunities, and challenges with respect to legal education and the legal profession. Topics included innovative methods and programs to grow the legal pipeline, especially in rural areas of the state; ways the WSBA can support and engage with law schools; encouragement for legal professionals to get involved with K-12 schools to inspire future legal professionals; and bar-exam preparation.

2 2026 Legislative Session. The Board approved the WSBA's 2026 legislative priorities, which include supporting and advancing bills that promote access to justice, provide funding for the state's court system, and provide funding for civil legal aid and public defense services. The Board also recommitted to its position that lawmakers should create a process to study the inefficiencies and inequities created by local court rules, funding, and technology.

3 2027 License Fee. The Board followed its license fee policy to adopt a \$7 increase to the active-lawyer license fee next year. Per its policy, the Board applied an inflation factor (Washington L&I COLA) to the current

fees to reflect the real and changing value of the dollar; a strict application of the inflation factor would have yielded a \$32 increase. The Board then evaluated projected expenses and revenues and the Bar's unrestricted reserve fund and decided to lower the inflation-generated factor by \$25 for a net \$7 increase. The Washington Supreme Court will now review the Board's 2027 fee recommendations for reasonableness.

Learn more about the Board's license fee policy and its goal to create a stable, predictable, and sustainable annual budgeting process for members at: www.wsba.org/for-legal-professionals/license-renewal/license-fees/license-fee-policy.

4 Pass Score for New Bar Exam. The Washington Supreme Court adopted the NextGen Uniform Bar Exam (UBE), with administration to begin in July 2026. That new exam requires a new pass score, which is set state by state. The Board looked at resources and score mapping conducted by the National Conference of Bar Examiners (NCBE) and voted to

MORE ONLINE

The agenda, materials, and video recording from this Board of Governors meeting (held in Seattle), as well as past meetings, are online here: www.wsba.org/bog.

SIDEBAR

Congrats to Gov. Ahearne



Congratulations to WSBA Governor-at-Large Tom Ahearne for winning the 2025 Rev. John J. Cavanaugh Award from the University of Notre Dame. The award honors Notre Dame alumni who perform outstanding service in the fields of government, public service, or local, state, or national politics. Read a Q&A with Governor Ahearne at <https://my.nd.edu/page/2025-thomas-ahearne>.

recommend that the court adopt a passing score of 616, comparable to the standard under the current iteration of the exam. That recommendation will now go to the Supreme Court for consideration.

Learn more about the NextGen Bar Exam and other licensure pathways approved by the Court in 2024 at: <https://wabarnews.org/2024/07/10/alternate-pathways-your-questions-answered/>.

THE BOARD ALSO:

- **Approved** an updated list of interview questions for the Judicial Recommendation Committee.
- **Voted** to terminate the WSBA CLE Committee.
- **Held** first-read presentations about proposed amendments to WSBA Bylaws regarding political activity by WSBA governors and officers and the Board's conflict of interest policy.
- **Held** its annual mandatory anti-harassment training. [BN](#)

Need to Know

NEWS & INFORMATION OF INTEREST TO WSBA MEMBERS

WSBA NEWS 2026 License Renewal and Sections Information

License Renewal is Paperless (online only). License renewal must be completed online at licensing.wsba.org, where you will be able to complete required certifications and securely pay your license fee or print an invoice to mail with a check. A 30 percent late-fee payment will apply if the annual license fee remains unpaid after that date.

DEADLINES:

Dec. 31, 2025

- Complete MCLE credits

Feb. 2, 2026

- Pay license fee
- Certify trust account information and liability insurance disclosure or financial responsibility
- Certify MCLE credits
- Optional: Request license fee exemptions and reductions

Certify MCLE Compliance. If you are in the 2023-2025 reporting period, then you are due to report CLE credits and certify MCLE compliance. The deadline for completing credits is Dec. 31, 2025. Please note you cannot earn more than 8 credits in a calendar day. An MCLE late fee will be assessed if you complete your credit requirements after the deadline. The certification must be completed online by Feb. 2, 2026. Visit www.wsba.org/MCLE to learn more.

License Fee Payment Plan, Exemptions, and Reductions.

If you are experiencing financial challenges, a payment plan option is available. Payments may be made in up to five installments with the balance required to be paid in full by Feb. 2, 2026. License fee

THE BAR BUZZ

Apply Now for Powerful Communities Grants

Applications are now open for the next round of WSBA Powerful Communities Grants. Thanks to generous contributions to the Bar Foundation, Powerful Communities Grants are available to help ensure everyone has access to legal aid. These grants amplify communities who are denied justice due to systemic oppression, advance the WSBA's mission and purposes outlined in General Rule 12.2, encourage public service by WSBA members, and implement the State Plan for the Coordinated Delivery of Legal Aid to Low-Income People. Proposals are due Jan. 9, 2026. Learn more at www.wsba.org/connect-serve/pro-bono-public-service/powerful-communities.



exemptions and reductions are available for licensed legal professionals who qualify. Visit www.wsba.org/licensing to learn more.

Member Pronouns. You may include pronouns on your profile in the WSBA Legal Directory. Please go to <https://mywsba.org> to include yours. Pronouns are words used to refer to someone in the third person in place of their name. The purpose of including them is to indicate how others can respectfully refer to you.

Voluntary Demographic Information. Please update your information at www.wsba.org/licensing when online licensing opens in November. This information is essential to understanding

the demographic makeup of licensed legal professionals in the state and can help inform better policymaking by decisionmakers, including the Washington Supreme Court.

Join or Renew your Section Membership. The section membership year is Jan. 1–Dec. 31. Visit www.wsba.org/sections to learn more.

Pro Bono Status. If you are considering going inactive, pro bono status is a great alternative that lets you provide pro bono services through a qualified legal services provider (QLSP). The license fee will be waived for pro bono status members who completed at least 30 hours of pro bono service with a QLSP in the prior year. Learn more at www.wsba.org/statuschanges.

Judicial Status. Please note you are required to inform the Bar within 10 days of your retirement or your ineligibility for judicial status (and you must apply to change to another status or to resign). Visit www.wsba.org/statuschanges to learn more.

TVW Launches Court TVW

TVW is proud to announce the launch of Court TVW, a new channel dedicated to gavel-to-gavel coverage of Washington's courts. From trial proceedings to appellate arguments, Court TVW provides a comprehensive look inside the state's judicial system, ensuring transparency and public access to justice in action. In addition to live coverage, the channel will feature specially produced programming that explores legal issues and court decisions that impact the lives of Washingtonians every day. Watch Court TVW at <https://www.youtube.com/watch?v=NZ1d3X7tOwk>.

AOC Launches Self-Help Washington

The Administrative Office of the Courts' (AOC) Equity and Access Program has recently launched Self-Help Washington (SHW) to provide accessible resources to help people without lawyers navigate Washington Courts. The project began in 2019 through a Superior Court Judges' Association (SCJA) work group, which made a recommendation to create an online portal for self-represented litigants. Learn more at www.courts.wa.gov/self-help/, or contact Self-Help Washington Lead Kelsey Jandoc, Kelsey.Jandoc@courts.wa.gov.

HAVE SOMETHING NEWSWORTHY TO SHARE?

Email wabarnews@wsba.org if you have an item you would like to place in *Need to Know*.

Washington Courts Rescind COVID-era Emergency Orders

The Washington Supreme Court has rescinded all remaining COVID-era emergency orders and put in place an interim order on electronic signatures. The interim order allows for a smooth transition while the court considers the pending proposal to amend GR 30, which will soon be published for public comment. Find these orders and others at www.courts.wa.gov/opinions/index.cfm?fa=opinions.sorders.

Entity Regulation Pilot Project Now Accepting Applications

After years of research, planning, and logistics, the application portal for the Entity Regulation Pilot Project is open. This is a time-bound, data-driven, carefully supervised process authorized by the Washington Supreme Court to determine whether changes to certain regulatory rules can meaningfully expand access to legal services for Washingtonians. The pilot project allows businesses and nonprofits (not just individually licensed lawyers/LLLTs/LPOs) to seek authorization to offer legal services for the first time in state history. Learn more at www.wsba.org/about-wsba/entity-regulation-pilot.

Spanish Language Access to the Lawyer Grievance Process

Please help spread the word: Information, directions, forms, and telephone interpreters are now available in Spanish for anyone who would like

to contact the state bar with an ethics concern about the conduct of a lawyer. Spanish speakers can click “En Español” on the top menu bar at <http://www.wsba.org> to learn more. This is a pilot project that the WSBA hopes to expand to more languages soon. Visit www.wsba.org/for-the-public/concerns-about-a-lawyer/preocupaciones-por-un-abogado.

‘Young’ Members are Now ‘New’ Members

The Washington Supreme Court recently approved WSBA Bylaw amendments to change the name and definition of “young lawyer” to “new member.” Effective Oct. 1, “young lawyer” has changed to “new member,” which is defined as: “Active members of the Washington State Bar Association will be considered New Members until the last day of December of the tenth year in which such member was first admitted to practice in the State of Washington.” As a result, any references to “young lawyer”

in programs, bylaws, etc., will be updated to align with this change. Learn more at www.wsba.org/connect-serve/committees-boards-other-groups/WNMC.

Please Complete Your Confidential Demographics Form

Did you know that the WSBA regularly publishes a variety of demographic information about the WSBA membership? This information is essential to understanding the makeup of the profession, assessing the services the WSBA provides, and informing policymakers as they contemplate changes related to regulation of the practice of law. We highly encourage WSBA members to participate in this voluntary demographic information collection. Please answer the short survey of demographic questions during your license renewal. If you have already renewed your license, you can still return to the license renewal page (www.wsba.org/licensing) to complete the demographics

section. Individual gender, race/ethnicity, sexual orientation, and disability information is kept strictly confidential, and is used only in the aggregate for demographic analysis. Thank you for your participation.

Engage With WSBA Leaders

The Member Engagement Council, which seeks member input and involvement in decision-making processes, wants to hear from you! The first agenda item of each meeting (the second Wednesday of each month from 8:30-10:00 a.m. via Zoom) is reserved for member comments. All topics are welcome. Visit the events calendar at www.wsba.org for more information.

Explore the WSBA Lending Library

Looking for your next great read? The WSBA Lending Library is a free service to WSBA members offering the short-term loan of books on topics related to practice management, wellness, and career development. Visit www.wsba.org/for-legal-professionals/member-support/lending-library to explore the catalogue.



WSBA CLE Volunteer Presenters Sought

WSBA CLE is currently seeking volunteer CLE speakers on the topics of limited practice officer/title/escrow, and legal technology/AI. If you are interested in presenting a CLE on one of the above topics, visit <https://zurl.co/saqX> to sign up. Please email rachelm@wsba.org if you have questions.



VOLUNTEER

Rule of Law

Ambassador Program

The WSBA invites you to join its volunteer Rule of Law Ambassador Program, which will equip volunteer legal professionals to educate their local communities about the

CONTINUED >

Need to Know

CONTINUED >

importance of an independent legal profession as a cornerstone of U.S. democracy and to build relationships to increase trust and confidence in the rule of law. Visit www.wsba.org/ambassadors to learn more and volunteer.

Legal Clinic Volunteers Needed

A free legal clinic put on by the Latina/o Bar Association of Washington, the King County Bar Association, and El Centro de la Raza is looking for attorney volunteers interested in doing pro bono work. The clinic takes place from 6-8 p.m. on the second Wednesday of every month at El Centro de la Raza in Beacon Hill (2524 16th Ave. S, Seattle, 3rd Floor). For more information, email clinics@lbaw.org and clinics2@lbaw.org.

RESOURCES Have You

Reviewed Your Group Health Options?

WSBA members have access to licensed benefits experts who can help you find out—at no cost. It's a courtesy consultation, and it's included with your membership. Make sure your company isn't overlooking or overpaying. Visit <https://wsba.memberbenefits.com/employer-group-solutions/> to start your no-obligation market analysis and group health quote today on the WSBA Insurance Marketplace.

Defense Standards: Guidance and FAQs

For public defenders, local jurisdictions, and others in Washington's justice system looking to implement the new WSBA Standards for Indigent Defense Services, find a guidance document and FAQs at www.wsba.org/connect-serve/committees-boards-other-groups/public-defense.



DISCOUNTS AVAILABLE

Software & Services for Your Practice

As a member of the WSBA, you have access to the Practice Management Discount Network, a collection of discounts on products and services to help you improve your law practice. We offer discounts on conflict-checking, credit-card processing, encryption, cybersecurity, document editing, document management, e-discovery, marketing and website support, office supplies, practice management software, remote receptionists, and retirement planning. Learn more and access your discounts today at www.wsba.org/for-legal-professionals/member-support/practice-management-discount-network.



Virtual Career Guidance Group

This free group meets on the first Thursday of the month at 3 p.m. This is a chance to receive guidance on your résumé, informational interviewing, applying for positions, and where you see yourself in your legal career. This group is led by Dan Crystal, Psy.D. Sign up at www.wsba.org/for-legal-professionals/member-support/wellness/group-sessions.

IOLTA FAQs

Check out IOLTA FAQs to learn important information about such topics as unidentified owners and unclaimed property, recordkeeping, disbursements, general banking, reconciliation, and more. Find the FAQs at www.wsba.org/for-legal-professionals/member-support/practice-management-assistance/iolta-faqs.



Washington Lawyers Assisting Lawyers

Washington Lawyers Assisting Lawyers is a new nonprofit that offers free and confidential services. WALAL is separate from the WSBA and is not

affiliated with any 12-step organization. To learn more about WALAL, to seek assistance, or to volunteer as a peer counselor, see www.WALAL.org or email info@walal.org.

Share Your Story

The Member Wellness Program wants to hear your inspiring stories. We know there are many challenges you have faced and hardships you have overcome. Share your story anonymously (some stories may be published) at <https://tinyurl.com/c5c8frft>. Your story can make a difference in the lives of your fellow legal professionals.

Productivity Group

Do you find that all you want to do is watch Netflix and Hulu? Struggling to keep on top of your daily tasks? This group is for legal professionals who have struggled with their productivity in the workplace. The goal of this group is for you to find a community with others who have a shared understanding of your struggle. In this group you will also find tools and techniques to boost performance in your workplace. The group meets Fridays from 12-1 p.m., Jan. 9-Feb. 6, 2026. Sign up at <https://www.wsba.org/pathways-form>.

Zen Meditation for Lawyers: A Path to Clarity, Focus, and Well-Being

Start the new year right by joining Zen Reverend Soko Mackay for a weekly meditation session designed for busy legal professionals. Discover how Zen practices can help you reduce stress, enhance focus, and improve productivity in your high-pressure environment. Take the time to invest in your mental health and experience the profound benefits of Zen meditation both in and out of the courtroom. The group meets Thursdays from 12-12:30 p.m. beginning Jan. 8, 2026. Sign up at <https://www.wsba.org/meditation>.

Telehealth is Here!

The Member Wellness Program is now offering hi-def, HIPAA-protected video consultations using the telehealth portal **Doxy.me**. Visit www.wsba.org/for-legal-professionals/member-support/wellness and click "Book Your Initial Consultation" to schedule time with our licensed providers.

Health Benefits

The WSBA Private Health Insurance Exchange offers members access to the most competitive group health insurance solutions on the market. Speak to a benefits counselor and request a free quote today at www.memberbenefits.com/wsba.

The 'Unbar' Alcoholics Anonymous Group

The Washington Unbar Alcoholics Anonymous group for legal professionals has been meeting regularly for almost 30 years. The group meets Wednesdays, 12:15-1:30 p.m. Currently, the group meets online via Zoom, and attorneys from all over Washington participate. For more information and Zoom

credentials contact unbarwa@gmail.com.

ETHICS Ethics Line

Members can talk with WSBA professional responsibility counsel for informal guidance. Learn more at www.wsba.org/for-legal-professionals/ethics/ethics-line or call the Ethics Line at 206-727-8284.

WSBA Advisory Opinions

WSBA advisory opinions are available online at www.wsba.org/for-legal-professionals/ethics/about-advisory-opinions. For assistance, call the Ethics Line at 206-727-8284.

WSBA COMMUNITY NETWORKING

New Members List Serve

This list serve is a discussion platform for new members of the WSBA. To join, email newmembers@wsba.org.

ALPS Attorney Match

Attorney Match is a free online networking tool made available through the WSBA-endorsed professional liability partner, ALPS. Learn more at www.wsba.org/connect-serve/mentorship/find-your-mentor, or email mentorlink@wsba.org.

QUICK REFERENCE Dec. 2025 Usury

The usury rate for December 2025 is 12.00%. The auction yield of the Nov. 3, 2025, auction of the six-month Treasury Bill was 3.823%. The interest rate required by RCW 4.56.110(3) (a) and 4.56.115 for December 2025 is 5.823%. The interest rate required by RCW 4.56.110(3)(b) and 4.56.111 for December 2025 is 9.00%. [BN](#)



BARDEN & BARDEN
Injury and Employment Law

Your Eastern Washington connection for complex injury & employment cases

PROTECTING WHAT MATTERS
REFER WITH CONFIDENCE

Based in Spokane
Serving Eastern Washington

CONTACT US



- Employment Retaliation
- Discrimination
- Whistleblowers
- Catastrophic Injuries
- Vehicle Crashes
- Insurance Bad Faith



S.L. Pitts
PC
LAWYERS

Navigating Complex Family Law Challenges

Best Lawyers **BEST LAW FIRMS** USNews 2021

RATED BY Super Lawyers

4.7 ★★★★★ Google Reviews

Best Lawyers

Avvo Rating **10.0** Superb Top Attorney Family

S.L. Pitts PC
719 Second Ave., Ste 520, Seattle, WA 98104
206-539-0294 ♦ stellapittslaw.com

DONATE TO EQUITY & JUSTICE

THE WASHINGTON STATE BAR FOUNDATION

supports Washington State Bar Association programs like Powerful Communities, which provides grants to help ensure access to legal services for people all across the state. Donations also support Diversity, Equity & Inclusion initiatives that help ensure the profession reflects the communities it serves.

THE CAMPAIGN FOR EQUAL JUSTICE

funds 70+ legal aid programs like TeamChild, Northwest Immigrant Rights Project, Legal Counsel for Youth & Children and Columbia Legal Services. Your donation advances civil justice for youth and families and all who suffer the injustices of poverty and systemic racism.



wsba.org/foundation



legalfoundation.org



Donate on your
license renewal
and reaffirm your
commitment to
equity and
justice!

The Washington State Bar Foundation and Legal Foundation of Washington (Campaign for Equal Justice) are public charities. Your donations are tax-deductible to the full extent of the law.

In Remembrance

This “In Remembrance” section lists WSBA members by bar number and date of death. The list is not complete and contains only those notices of which the WSBA has learned through correspondence from members.

Please email notices to wabarnews@wsba.org.



Justice Richard P. Guy

#3973, 10/27/25

Justice Richard P. Guy was born on Oct. 24, 1932. He earned his J.D. from Gonzaga University School of Law. Early in his legal career, he worked as a deputy prosecutor for Spokane County, then as a Spokane County Superior Court judge from 1977 to 1981 and again starting in 1985. Guy was appointed to the Washington Supreme Court in 1989 by Gov. Booth Gardner and then ran for election to the court in 1990, defeating former Gov. John Spellman. Guy continued serving on the Supreme Court until he retired in 2001. He served as chief justice from 1998 to 2001. Guy was vocal about funding trial courts and increasing access to justice. He received the Outstanding Judge Award from the WSBA in 2000, the Herbert Harley Award from the American Judicature Society, the Jurist of the Year award from the American Board of Trial Advocates, and the Gonzaga Law Medal in 2017. After retiring from the Supreme Court, Guy worked in mediation and teaching. He also served on the WSBA’s Access to Justice Board Steering Committee and Judicial & Court Administration Committee from 2001 to 2004. Guy was preceded in death by his wife, Lynn Kaiser Guy. He is survived by his children, Victoria, Heidi, and Emily; his grandchildren, Jessica, Soheila, and Ciara; and his great-grandchild Trenton. **BN**

Maris Baltins,
#9107, 10/2/2025

**F. Lorraine “Lorri”
Bodi,** #9153,
4/17/2025

Raymond Givens,
#36029, 2/16/2025

Joel Salmi,
#5808, 10/30/25

**William
Scharnikow,** #2184,
10/11/2025

MORE ONLINE

When available, links to obituaries can be found in the online version of this article. wabarnews.org 



ASBESTOS DEMANDS EXPERIENCE.

SGB BRINGS IT.



Craig
Sims



Kaitlin
Cherf



Lucas
Garrett



Colin
Mieling

RESULTS

Paper mill worker
who developed
mesothelioma

\$16M

Construction worker
exposed to asbestos

\$8M

Boiler technician
exposed to asbestos

\$4M

Asbestos exposure
through family member
employed at a refinery

\$3M

For decades, Schroeter Goldmark & Bender has stood up for families affected by asbestos exposure in Washington and Oregon. We're the firm others trust when the stakes are high and justice can't wait.

Seattle | Bremerton

www.sgb-law.com



Notices

DISCIPLINE & OTHER REGULATORY NOTICES

THESE NOTICES INCLUDE INFORMATION ABOUT THE IMPOSITION OF DISCIPLINARY SANCTIONS AND ACTIONS involving lawyers, limited practice officers (LPOs), and limited license legal technicians (LLLTs). Active links to directory listings, which provide additional information and documents related to the disciplinary matter, and other linked information can be found by viewing the online version of *Washington State Bar News* at www.wabarnews.org or by looking up the respondent in the Discipline Notice Directory at <https://www.mywsba.org/PersonifyEbusiness/DisciplineNoticeDirectory>.

As some WSBA members share the same or similar names, please read all disciplinary notices carefully for names, cities, and bar numbers.

Resigned in Lieu of Discipline

Teresa Thais Keene (WSBA No. 40045, admitted 2008) of Spokane, resigned in lieu of discipline, effective 10/15/2025. The lawyer agrees that they are aware of the alleged misconduct in disciplinary counsel's Statement of Alleged Misconduct and rather than defend against the allegations, they wish to permanently resign from membership in the Association. Francesca D'Angelo acted as disciplinary counsel. Wilhelm Dingler represented respondent.

The Statement of Alleged Misconduct reflects the following violations of the Rules of Professional Conduct: 1.3 (Diligence), 1.4 (Communication), 8.4(c) (Dishonesty, Fraud, Deceit or Misrepresentation), and 8.4(d) (Prejudicial to the Admin of Justice).

Keene's alleged misconduct includes: 1) failing to make an enforceable agreement with opposing counsel requiring the client's former spouse to refinance the property in exchange for the client signing the modification papers; 2) failing to explain the effect of the mortgage modification documents to the client; and 3) falsely notarizing the modification loan documents.

Decision document: Resignation Form of Teresa Thais Keene (ELC 9.3(b)).

Reprimanded

Suellen Howard (WSBA No. 20506, admitted 1991) of Renton, was reprimanded, effective 10/15/2025, by order of the hearing officer. Francesca D'Angelo and Briana Gieri acted as disciplinary counsel. Suellen Howard represented themselves. Kenneth B. Gorton was the hearing officer.

The lawyer's conduct violated the following Rules of Professional Conduct: 1.6 (Confidentiality of Information) and 1.15A (Safeguarding Property).

Howard stipulated to reprimand for: 1) failing to deposit a client's advance fees in

a trust account and 2) disclosing information related to the representation of one or more clients, without each of the clients' informed consent or any applicable exceptions permitting the disclosure(s).

Decision documents: Order Approving Stipulation to Reprimand; Stipulation to Reprimand; and Notice of Reprimand.

Admonished

James Joseph Raffa (WSBA No. 20394, admitted 1991) of Tacoma, was ordered to receive an admonition on 8/12/2025. Benjamin Attanasio and Henry Cruz acted as disciplinary counsel. Jeffrey T. Kestle represented respondent.

The lawyer's conduct violated the following Rules of Professional Conduct: 1.4 (Communication) and 1.5 (Fees).

In connection with Raffa's representation of clients in personal injury matters, the Disciplinary Board issued an admonition. The Board found that Raffa: 1) provided settlement authorization forms that omitted an explicit statement that he would retain a one-third contingency fee from reimbursement payments to the clients' insurers, thereby producing inconsistent and potentially misleading settlement documents despite other communications that disclosed the retention, and 2) shared legal fees with another attorney in multiple client matters, both of whom had signed fee agreements with the clients, without obtaining the clients' written consent to the division of fees, as required by the Rules of Professional Conduct.

Decision documents: Hearing Officer's Decision; Disciplinary Board Order Amending Hearing Officer's Decision; and Admonition. **BN**

MORE ONLINE

Access further details by clicking the links in the online version at

www.wabarnews.org

Marketplace

PROFESSIONAL LISTINGS OF INTEREST TO ATTORNEYS IN WASHINGTON

ACCIDENT RECONSTRUCTION

Mecanica Scientific Services Corporation

John Isbister

2290 SW 2nd St., Suite B
McMinnville, Oregon 97128

PH: +1 (971) 318-4176

EMAIL: info.pnw@mecanicacorp.com

Specialties:

The Mecanica team has provided technical services within the western U.S. for over 30 years; providing expertise in the following areas: Accident (crash) reconstruction & analysis; including, passenger vehicle, commercial vehicle, tractor, trailer, bus; motorcycle, pedestrian, bicycle; Event Data Recorders (EDR) & Heavy Vehicle Event Data Recorders (HVEDR); Fleet Telematics (GPS) data analysis; Collision Mitigation Systems (CMS) including Lidar, Radar, and Cameras; Mechanical Inspections & System Performance Analysis; Commercial Fleet Operations, Traffic Signal Timing, Vehicle Maintenance, Automotive Systems Evaluation, Driver Standards of Care, and Fire Origin and Cause Investigations; Forensic 3D Simulations, Animations and Captured Site Video Analysis. Mecanica provides Vehicle, Component, and Systems Testing as well as Chip Swapping/Transfers at our on-site laboratory.

Consulting/Expert Witness Experience:

We provide forensic analysis in the areas of transportation, construction, agricultural, industrial and product liability. Our experts are qualified in state, criminal, federal, and military courts. We provide engineering services, continuing education, research and peer-reviewed published authors.

www.mecanicacorp.com



ACCOUNTING

Truepoint Analytics

William N. Holmes

CPA, CFE, CVA, ABV

Licensed in WA, OR, AZ, CA.

- Accounting and Tax Malpractice
- "Big Data" Science
- Business Valuation
- Commercial Litigation
- Economic Damages and Lost Profits
- Expert Testimony
- Fraud and Forensic Accounting
- Intellectual Property
- Maritime Damages (Jones Act)
- Shareholder Disputes
- White Collar Financial Crime
- Former 5-Year Oregon Board of Accountancy BOACC (Ethics and Complaints Panel)

Forensic Accounting

Robert Loe, CFE, CPA

Licensed in WA, AK, & DC

2400 NW 80th St, #302, King County
Seattle, WA 98117

PH: 206-292-1747

EMAIL: robert@loecpa.com

- Certified fraud examiner
- Forensic accounting
- Litigation support
- Expert witness testimony
- Experienced peer reviewer
- Former investigator for state board of accountancy
- Licensed in Washington

www.loecpa.com

BUSINESS VALUATIONS

Redwood Valuation Partners

Richard Reynolds, CVA, MAFF

1200 Westlake Ave N, Suite 905
Seattle, WA 98109

PH: 360-600-4968

EMAIL: richard@redwoodvaluation.com

- Business Valuation
- Forensic Accounting
- Minority Discounts
- Shareholder Disputes
- Litigation Support
- Economic Damages and Lost Profits
- Personal Goodwill
- Intellectual Property

We provide expert opinions and valuations for corporate planning, litigation, financial reporting, gift and estate planning, tax compliance, divorce, and intellectual property matters. Our team delivers accurate, defensible valuations backed by rigorous analysis and clear documentation. Redwood Valuation Partners offers quality valuations and expert testimony that withstand challenge and scrutiny.

www.redwoodvaluation.com



REDWOOD
VALUATION

MORE LISTINGS >

SERVICE CATEGORIES

- Accident Reconstruction
- Accident Reconstruction—Biomechanics
- Accountants
- Accountants—Litigation Support
- Appraisers—Residential Appraisal
- Bar-Focused Issues
- Business Valuations
- Computer and Network Support
- Computer Forensics
- Consultants
- Court Bonds
- Court Reporters
- Estate Planning—Automated Document Drafting & Assembly
- Estate Planning Templates
- Financial Services
- Forensic Accounting
- Handwriting Experts—Handwriting & Document Forensics
- Insurance
- Investigative Services—Surveillance Investigations
- Investigative Services
- Litigation Support
- Litigation Support/Trial Consulting
- Marketing
- Mediation
- Practice Management Services & Software
- Professionals
- Telephone Receptionists
- Video Services
- Virtual Receptionists/ Answering Services
- AND MORE

WANT TO PLACE A LISTING IN THE MARKETPLACE?

To learn how, please see the information box on page 60



WALLACE · MANN · CAPENER
BISHOP & DEBNEY, P.C.

www.wmcbdlaw.com

NEW LOCATION
FEBRUARY 2026

We are excited to announce that WM CBD is moving!
13221 SW 68th Pkwy, # 500
Portland, OR 97223

For more than 35 years we have represented leading employers in workers' compensation defense matters.

Seattle
Columbia Center, 701 5th Ave.,
42nd Floor, Seattle, WA 98104
206-652-3265
Fax (503)224-0410

Portland
13221 SW 68th Pkwy, # 500,
Portland, OR 97223
503-224-8949
Fax (503)224-0410

San Jose
2033 Gateway Place, Ste. 500
San Jose, Ca 95110
408-467-3845
Fax (503)224-0410

LAWYER ANNOUNCEMENT

WASHINGTON STATE
BAR ASSOCIATION

Join a **SECTION**
and **GROW** your



New admittees can join one section for **FREE** within their first year of admittance to WSBA.

- Step into leadership
- Effect change
- Gain knowledge
- Build your network



JOIN TODAY!

Marketplace

PROFESSIONAL LISTINGS OF INTEREST TO ATTORNEYS IN WASHINGTON

CONSULTANTS

Investor Claims

Courtland Shafer

Llewellyn & Shafer, PLLC

4847 California Ave. SW, Ste. 100

Seattle, WA 98116

PH: 206-923-2889

EMAIL: courtland@l3llaw.net

- Former NASD Series 7, 66 and life/annuity insurance licensed broker/investment advisor.
- Available for consultation and referrals in claims involving broker/dealer error, fraud, and investment suitability.

www.l3llaw.net

LMS Human Resource Services

Workplace Investigators

Lorna McGowan-Smith

14 Huckleberry Court

Bellingham, WA, 98229

PH: 360-961-2059

EMAIL: EDLORN1@comcast.net

Highly experienced independent workplace investigator for both profit and non-profit clients. Bringing over 30 years of experience in human resources and workplace investigations to your project.



FORENSIC ACCOUNTING

Redwood Valuation Partners

Richard Reynolds, CVA, MAFF

1200 Westlake Ave N, Suite 905

Seattle, WA 98109

PH: 360-600-4968

EMAIL: richard@redwoodvaluation.com

- Forensic Accounting
- Lost Profits
- Economic Damages
- Intellectual Property
- Shareholder & Minority Disputes

Redwood Valuation Partners specializes in forensic accounting for complex cases involving lost profits, economic damages, post-acquisition disputes, intellectual property, patent infringement, contract disputes, and shareholder disputes. Our team produces defensible insights, providing critical support in litigation and financial resolution. We provide quality testimony and financial clarity that withstand challenge and scrutiny.

www.redwoodvaluation.com



INSURANCE

ALPS Insurance

Malpractice, Law Firm Insurance

ALPS Team

111 N. Higgins Ave, Missoula, MT 59802

PH: 1-800-367-2577

EMAIL: learnmore@alpsinsurance.com

Washington's lawyers put themselves on the line every day to help people and build successful practices. That's why ALPS offers comprehensive malpractice and business insurance solutions making it easy for you to protect your entire firm. Founded by lawyers for lawyers in 1988, ALPS is the insurance carrier of choice for solo and small law firms. As The Washington State Bar's endorsed carrier, they understand how valuable your time is and are dedicated to making insurance easy so you can get back to doing what you do best, practicing law.

Coverage features provided by ALPS, but not always available through other carriers, include:

- Flexible malpractice coverage choices to fit the varying protection needs of different law firms.
- Business Insurance Coverage options available, including:
 - Business Owner's Policy (BOP)
 - Workers' Compensation
 - General Liability
 - Cyber Liability
 - Employment Practices Liability
 - Commercial Auto

Custom malpractice coverage options for new lawyers with minimum limits of \$100,000/\$300,000

www.alpsinsurance.com/washington





**FRANK FREED
SUBIT & THOMAS**
EMPLOYMENT & LABOR LAW

*“Working for Justice
Since 1981”*

We are pleased
to announce that
Anna M. Mendoza
has joined our firm
as a legal fellow.



Anna’s practice will focus on advocating for
employees and labor unions.

(206) 682-6711 | frankfreed.com | 705 Second Ave., Suite 1200, Seattle, Washington 98104

LITIGATION SUPPORT

Seattle Trial Tech

PH: 1-206-900-6727

EMAIL: dan@seattletrialtech.com

Seattle-based Trial Tech & Litigation Support — OnCue presentation, synced deposition video, trial graphics, and courtroom setup. Trusted in Washington courts and nationwide. In-person & remote support to keep your team sharp and focused.

<https://seattletrialtech.com>

Seattle Trial Tech

MARITAL AGREEMENTS

Envision Family Law

Document Services

Nicholas Lovelace-Andrews

600 University Street, Suite 3010

Seattle, WA 98101

PH: (206) 202-2215

EMAIL: t.parker@envisionfamilylaw.com

Does your client need a Prenuptial Agreement drafted? As the co-author of the chapter on Marital Agreements for the Washington Family Law Deskbook (3rd ed. 2022), Attorney Nick Lovelace-Andrews can draft your clients’ Marital Agreements such as Prenuptial, Post-Nuptial and Separation Agreements. Contact Us at Envision Family Law for Exceptional Outcomes in Family Law Matters.

Envisionfamilylaw.com



ENVISION
FAMILY LAW



**FRANK FREED
SUBIT & THOMAS**
EMPLOYMENT & LABOR LAW

*“Working for Justice
Since 1981”*

We are pleased
to announce that
Catherine N. Sellers
has joined our firm as
an of counsel attorney.



Cathy’s practice will focus on representing employees in EEO
matters, class actions, and labor union representation.

(206) 682-6711 | frankfreed.com | 705 Second Ave., Suite 1200, Seattle, Washington 98104

MORE LISTINGS >

Marketplace

PROFESSIONAL LISTINGS OF INTEREST TO ATTORNEYS IN WASHINGTON

QDRO SERVICES

Envision Family Law

Nicholas Lovelace-Andrews

600 University Street, Suite 3010

Seattle, WA 98101

PH: (206) 202-2215

EMAIL: t.parker@envisionfamilylaw.com

Does your family law client need a QDRO? Attorney Nick Lovelace-Andrews at Envision Family Law will take care of your client's QDRO. Contact us at Envision Family Law for Exceptional Outcomes in Family Law Matters.

Envisionfamilylaw.com



ENVISION
FAMILY LAW

Law Offices of Tresa A. Sadler, PLLC

Tresa Sadler

16708 Bothell-Everett Hwy, Ste 104

Mill Creek, WA 98012

EMAIL: reception@sadlerpllc.com

Does your client need a QDRO drafted? Contact our office! Our team has over 20 collective years drafting and filing all types of QDROs, including deferred comp, labor union, and military orders.

sadlerlawpllc.com



LAW OFFICES OF
TRESA A. SADLER, PLLC

TELEPHONE RECEPTIONISTS

Ruby

Ellie Miller

PH: 844-914-0291

EMAIL: partners@ruby.com

Unlike staff at typical answering services, Ruby's receptionists engage in real, unscripted conversations while referencing custom information provided by the businesses we represent. The result is exceptional customer and client experience that sounds like it's in-house.

Ruby acts as a seamless extension of your business, delivering unforgettable experiences online and over the phone—24/7, 365 days a year, in English & Spanish. Through a unique combination of technology, training, and talent, we make it easy for anyone to reach a friendly, helpful representative in seconds.

With the Ruby dashboard and mobile app, you can stay on top of all your communication with callers and website visitors, change your call handling instructions in seconds, set up custom call forwarding, and view your usage. Our platform integrates with tools such as Zapier, Clio Grow and Clio Manage, MyCase, and Grasshopper. Find out how to receive an exclusive 7% discount!

www.ruby.com/campaign/wsba/



WANT TO BE FEATURED IN THE MARKETPLACE?

Placing an ad is easy! To learn more, contact Ronnie Jacko at Big Red M at **503-445-2234** or ronnie@bigredm.com

MORE ONLINE >

Check out our Marketplace of Professionals listings online at www.wabarnews.org/marketplace.



EXPERIENCE TENACITY JUDGMENT RESOLVE!



CHARLES S. BURDELL JR.
Former King County Superior Court Judge



JOHN P. ERLICK
Former King County Superior Court Judge



BRUCE HELLER
Former King County Superior Court Judge



LARRY A. JORDAN
Former King County Superior Court Judge



PARIS K. KALLAS
Former King County Superior Court Judge



PALMER ROBINSON
Former King County Superior Court Judge



STEVE SCOTT
Former King County Superior Court Judge

JdR
Judicial Dispute Resolution, LLC

Joshua Green Building · 1425 Fourth Avenue · Suite 300 · Seattle, WA 98101
206.223.1669 · jdrllc.com

CLIENT INJURED IN VEGAS? DON'T GAMBLE WITH THEIR CLAIM



KRISTOF LAW GROUP
THE WISE CHOICE

LICENSED IN BOTH WASHINGTON AND NEVADA

GIVE US A CALL TO DISCUSS HOW WE CAN HELP
702-703-2838 | kristoflawgroup.com



MBJAFFELAW.COM

Offices in: California, Oregon, Washington



LAW OFFICES OF
MELISSA B. JAFFE, PC

Business Law for Creative Professionals

- Privacy
- Art + Entertainment
- Business Transactions
- Intellectual Property

WOMENS LAWYERS' RETREAT

MAUI, HI
MARCH 18-22, 2026



PRIORITIZE YOUR HEALTH

JOIN US TO REFLECT ON HOW YOU
SHOW UP FOR BUSINESS, COLLEAGUES,
CLIENTS, FAMILY, AND LIFE.

SPACE IS LIMITED. SIGN UP HERE:
<https://www.blissnessschool.com/retreats-1>

Classifieds

POSITION-AVAILABLE ADS ARE ONLINE

Job seekers and job posters, position-available ads can be found online at the WSBA Career Center. To view these ads or to place a position-available ad, go to <https://jobs.wsba.org>.

A SPECIAL DISCOUNT has been extended to Dec. 31, 2025, for nonprofit, government, and small-firm (10 or fewer attorneys) employers to post position-available ads on the WSBA Career Center. Please contact Michael Lis at 860-544-5833 or michael.lis@communitybrands.com. Free 30-day postings of jobs for legal professionals in "rural" areas are also available. To determine eligibility for a free posting, please contact memberbenefits@wsba.org with "RURAL EMPLOYMENT OPPORTUNITY" in the subject line.

TO PLACE A PRINT CLASSIFIED AD

RATES, DEADLINE, AND PAYMENT:

WSBA members: \$50/first 50 words; \$1 each additional word.

Nonmembers: \$60/first 50 words; \$1 each additional word.

Email text to classifieds@wsba.org by the first day of each month for the following issue (e.g., Jan. 1 for the Feb. issue). Advance payment required. For payment information, see <http://bit.ly/WABarNews>. For questions, email classifieds@wsba.org.

On Oct. 1, 2025, a new retail sales tax went into effect. Please note you may have to pay a tax fee for your *Bar News* classified advertisement if your billing address is in Washington state. Please email classifieds@wsba.org if you have any questions regarding this new sales tax.

SERVICES

NW Landlord Solutions, an established landlord-tenant law firm is expanding and seeks to acquire other firms serving landlords exclusively. Flexible options available, including multi-year transition periods for sellers not yet ready to retire. Contact Quinn Posner at quinn@waevictions.com. All inquiries confidential.

Your mental health matters — Yes, yours. While the pressure never stops, you can pause and care for yourself. Individual therapy for lawyers facing trauma, burnout, anxiety, and relationship stress. Virtual sessions designed to

fit your busy schedule. www.goldenpathjourney.com.

Former attorney turned Realtor®. I provide white-glove service for buying and selling in Mason, Pierce, and Thurston counties. Need a trusted agent elsewhere? I offer complimentary, fully vetted referrals across WA, the U.S., and internationally. Call Karen Nadler at John L. Scott Real Estate: 425-312-3263 or email KarenNadler@johnlscott.com.

Litigation attorney licensed to practice in Washington state with 40 years of private practice and in-house experience seeks a part-time relationship with a law firm representing plaintiffs

in product liability and medical malpractice cases. I am an active member of Freedom Counsel. My résumé is available on request. Contact information: jrallison27@gmail.com or 707-357-3732.

Nicol Law: Cross-border business & trusts/estates (CA/US) Calgary (2016) & Seattle (2025) offices. Domestic and cross-border business, trust, and estates work, great service, fair fees. We respect existing client relationships and offer career (qualify across the border!) and retirement (capture the value of your practice!) options. Connect: nicol.law or jocelyn.wang@nicol.law.

Attorney seeks mentor and 1099 opportunities. My previous litigation experience in another state does not translate to Washington, so I am a blank slate but eager to learn. My areas of interest are real estate, trusts, employment, and family law. I live in Federal Way but am tech savvy and could meet virtually or in person, depending. I am licensed in several states. Contact: KX.attorney.25@gmail.com.

U.S. Title Records—Lis Pendens, judgment and foreclosure records. Abstractor services for document retrieval and deed images. Preliminary title reports. Same-day service and results. <https://www.ustitlerecords.com/>.

Insurance expert witness—Damian J. Arguello, J.D., ARM. Licensed insurance attorney in WA & CO, former adjuster and insurance brokerage E&O claims manager, former insurance law adjunct professor, 30+ years of insurance experience, 8+ years of expert witness work. Crest

Insurance Law & Consulting, www.cilc.law, 425-590-9573, damian@cilc.law.

Contact LegalEdge Digital today and get the edge your firm deserves! We provide digital marketing solutions for law firms, including website design and development, web copy, blog posts, white pages, newsletters, e-books, social media management, and SEO help. Licensed attorney with 25 years of experience turned legal marketer. Contact us now: 206-678-5532, dustin@legaledgedigital.com, www.legaledgedigital.com.

I Will Help You Win! I love helping lawyers become better public speakers. Contact psychologist Davis K. Brimberg, Ph.D., (206) 348-2257, drdavisbrimberg@gmail.com. Remote, online sessions. Start winning. Today.

SPACE AVAILABLE

Fully furnished office space for lease in Kirkland. Six private offices, two front desk/paralegal work stations, plus conference room, dividable into two separate office spaces. Free parking. \$6,000 per month, with water/sewage/garbage paid by landlord. Electricity and security system fees paid by tenant. Contact 425-284-1128.

VACATION RENTALS

PARIS APARTMENT—at Notre Dame. Elegant 2-bedroom, 2-bathroom apartment, in the heart of Paris. **PROVENCE HOUSE—**in Menerbes. 4-bedroom, 3.5-bathroom house. Incredible views. 503-227-3722 or 202-285-1201; angpolin@aim.com. **BN**



Tanesha La'Trelle Canzater

BAR NUMBER: 34341

Tanesha La'Trelle Canzater serves as an appellate public defender in Washington, while currently residing in Alexandria, Virginia. She has argued before the Washington Supreme Court and Court of Appeals, and is driven by the pursuit of fairness, due process, and making a meaningful impact.

What is the most interesting case you have handled in your career so far and why?

The most interesting case I've worked on so far was one the media called the "Benton County Cornfield Killer" case, involving the 2014 discovery of three victims in a cornfield. I represented the accused in that case on appeal, and it was one of those cases that pushed me on every level. The facts, the forensic evidence, and even the backstories of everyone involved were incredibly complex. It really tested my technical skills.

Did you end up practicing in the area of law you expected? If not, where did you end up and why?

No. I was sure I was going to practice family law. But I ended up becoming a criminal defense appellate attorney, and it happened completely by chance. During law school, I had the opportunity to intern at the Washington Appellate Project, and that experience completely shifted my path. Once I got a taste of appellate work—the writing, the strategy, the impact of shaping how the law is interpreted—I was hooked. And it's been game on ever since.

What is the biggest regret of your career?

I wouldn't say I have a single biggest regret. Even after 21 years of practice, I'm still evolving in my career, and I try to learn from every mistake, experience, and missed opportunity. I've realized that growth comes from reflection, not regret. So I focus on developing and improving with every challenge I face.

What is your biggest success?

I'd like to think my biggest professional success is still ahead of me. I've been fortunate to achieve meaningful victories before the Washington Supreme Court and Division III Court of Appeals, but I view those as steps in a continuing journey. Even after 21 years of practice, I'm still growing as an attorney, and constantly striving to refine my skills, take on more complex challenges, and make a lasting impact through my work. For me, success isn't a single moment. It's a continual pursuit of excellence and purpose.

How would you be earning a living if you weren't a lawyer?

Hands down, I'd be a United States diplomat. **BN**



If you had to give a 10-minute presentation on one topic other than the law, what would it be and why? "The Importance of Wearing Pantyhose in Closed-Toe Shoes." Somewhere between business-casual Fridays and the era of Zoom meetings, pantyhose quietly vanished, and so did a certain kind of polish. Pantyhose aren't just for pageants; they're a small but powerful detail that can elevate how we show up in the world, particularly when wearing closed-toe shoes.

How do you unwind or recharge after a difficult day? I practice Bikram yoga.

What is one thing your colleagues may not know about you? I used to work as a corrections counselor at McNeil Island Corrections Center and at the Maple Lane School for Boys.

What's the best piece of advice you've ever ignored? The best advice I've ever ignored was to "just let it go." When I faced micro- and macroaggressions early in my career, I chose to speak up instead of staying silent. It taught me that silence keeps the peace, but speaking up creates change.

Who is your favorite writer? My favorite writer is Toni Morrison, especially for *Beloved*. That book showed me that storytelling can do more than entertain. Storytelling can heal, teach, and change how we see the world. I try to bring that same purpose to my own writing at work.

What's your go-to karaoke song? "Grown Man," by King George.

What's the best place you've ever traveled to? Kinshasa, Democratic Republic of the Congo.

What is the best movie you've ever seen? *Beloved*.

> **WE'D LIKE TO LEARN ABOUT YOU!** Email wabarnews@wsba.org to request a questionnaire and submit materials to be used for a hand-drawn portrait.



It's a new day for your practice

Your favorite, most trusted business solutions.
Now under a new name. Introducing 8am.

Purpose-built for your path forward

Designed specifically for legal, accounting,
and client-focused professionals

Optimized for clarity and control

Smarter workflows that drive efficiency and
deliver the insights you need to succeed

Supported by experts you can trust

From onboarding to live support, our team is
here to help you—every step of the way

One platform, many possibilities

Powerful solutions built to support every part
of your business and simplify your day



Learn more at
8am.com/wsba

Wishing You a Happy & Healthy 2026!



Over Forty Years of Helping People!

Medical Malpractice. *It's All We Do.*



206.443.8600
cmglaw.com

