

**FILED**  
MAR 11 2015  
DISCIPLINARY  
BOARD

BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

In re

**PAUL D. EDMONDSON,**  
Lawyer (Bar No. 3634).

Proceeding No. 14#00053

STIPULATION TO SUSPENSION

Under Rule 9.1 of the Rules for Enforcement of Lawyer Conduct (ELC), and following a settlement conference conducted under ELC 10.12(h), the following Stipulation to suspension is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsel Erica Temple, Respondent's Counsel Joseph John Ganz and Respondent lawyer Paul D. Edmondson.

Respondent understands that he is entitled under the ELC to a hearing, to present exhibits and witnesses on his behalf, and to have a hearing officer determine the facts, misconduct and sanction in this case. Respondent further understands that he is entitled under the ELC to appeal the outcome of a hearing to the Disciplinary Board, and, in certain cases, the Supreme Court. Respondent further understands that a hearing and appeal could result in an outcome more favorable or less favorable to him. Respondent chooses to resolve this Stipulation to Discipline

DLA

1 proceeding now by entering into the following stipulation to facts, misconduct and sanction to  
2 avoid the risk, time, expense attendant to further proceedings.

3 Respondent wishes to stipulate to suspension without affirmatively admitting the facts  
4 and misconduct in ¶¶ 3-4, rather than proceed to a public hearing. Respondent agrees that if this  
5 matter were to proceed to a public hearing, there is a substantial likelihood that ODC would be  
6 able to prove, by a clear preponderance of the evidence, the facts and misconduct in ¶¶ 3-4, and  
7 that the facts and misconduct will be deemed proved in any subsequent disciplinary proceeding  
8 in any jurisdiction.

### 9 I. ADMISSION TO PRACTICE

10 1. Respondent was admitted to practice law in the State of Washington on October 19,  
11 1971.

### 12 II. STIPULATED FACTS

13 2. Respondent is an immigration lawyer in Yakima, Washington.

14 3. Between 1997 and 2012, on four occasions, Respondent touched female clients in  
15 an inappropriate manner that was offensive.

16 4. These actions amounted to Assaults in the Fourth Degree.

17 5. For each client, there was a significant risk that Respondent's representation would  
18 be materially limited by his personal interests.

### 19 III. STIPULATION TO MISCONDUCT

20 6. By intentionally touching four clients in a way that was offensive, Respondent  
21 violated RPC 8.4(b) (by committing Assault in the Fourth Degree RCW 9A.36.041) and RPC  
22 8.4(i) and RPC 8.4(d).

23 7. By representing four clients, where the representation involved a concurrent

1 conflict of interest, Respondent violated RPC 1.7(a)(2).

2 **IV. PRIOR DISCIPLINE**

3 8. In 2000, Respondent was suspended for 21 days for violations of RPC 8.4(d), RPC  
4 5.3 and RPC 5.5.

5 **V. APPLICATION OF ABA STANDARDS**

6 9. The following American Bar Association Standards for Imposing Lawyer Sanctions  
7 (1991 ed. & Feb. 1992 Supp.) apply to this case:

8 10. ABA Standard 5.1 is most applicable to cases involving criminal conduct such as  
9 assault:

10 5.12 Suspension is generally appropriate when a lawyer knowingly engages in  
11 criminal conduct which does not contain the elements listed in Standard 5.11 and  
that seriously adversely reflects on the lawyer's fitness to practice.

12 11. Respondent acted intentionally in assaulting his clients.

13 12. He caused distress to his clients.

14 13. The presumptive sanction is suspension.

15 14. ABA Standard 4.3 is most applicable to cases involving conflicts of interest:

16 4.33 Reprimand is generally appropriate when a lawyer is negligent in determining  
17 whether the representation of a client may be materially affected by the lawyer's  
own interests, or whether the representation will adversely affect another client,  
and causes injury or potential injury to a client.

18 15. Respondent acted negligently in determining whether his actions constituted a  
19 conflict of interest.

20 16. The presumptive sanction is reprimand.

21 17. The following aggravating factors apply under ABA Standard 9.22:

22 (a) prior disciplinary offenses [In 2000, Respondent was suspended for 21 days for  
23 violations of RPC 8.4(d), RPC 5.3 and RPC 5.5];

1 (c) a pattern of misconduct;

2 (d) multiple offenses;

3 (i) substantial experience in the practice of law [Mr. Edmondson was admitted to  
4 practice in 1971.].

5 18. The following mitigating factors apply under ABA Standard 9.32:

6 (l) remorse;

7 (m) remoteness of prior offenses.

8 19. It is an additional mitigating factor that Respondent has agreed to resolve this matter  
9 at an early stage of the proceedings.

10 20. It is an additional mitigating factor that two instances of misconduct took place more  
11 than ten years ago.

12 21. Based on the factors set forth above, the presumptive sanction for the most serious  
13 misconduct should be mitigated to a four month suspension.

14 **VI. STIPULATED DISCIPLINE**

15 22. The parties stipulate that Respondent shall receive a four month suspension for his  
16 conduct.

17 23. Respondent will be subject to probation for a period of two years beginning when  
18 Respondent is reinstated to the practice of law and shall comply with the specific probation  
19 terms set forth in this section.

20 24. As a condition of reinstatement, Respondent shall, at least 30 days prior to a  
21 request for reinstatement, undergo an independent examination by a licensed clinical  
22 psychologist or psychiatrist to be approved by disciplinary counsel. Respondent shall provide a  
23 copy of the formal complaint filed in this proceeding to the evaluator. Respondent shall execute

1 all the necessary releases to permit this evaluator to obtain all relevant treatment records and  
2 make a report to disciplinary counsel addressing the following issues:

- 3 • Whether Respondent's condition is such that he is currently fit to practice law.
- 4 • If the evaluator concludes that Respondent is not currently fit to practice law, the  
5 report shall recommend a course of treatment necessary to enable Respondent to  
6 return to the practice of law.

7 25. Respondent shall comply with any recommended treatment or practice conditions  
8 as determined by the evaluator.

9 26. Respondent shall provide quarterly reports to Disciplinary Counsel certifying his  
10 compliance with any recommendations made by the evaluator.

11 27. If the evaluator concludes that Respondent is not currently fit to practice law,  
12 Respondent (or Respondent's counsel, if Respondent is then represented) and disciplinary  
13 counsel shall meet to discuss the evaluator's report and what steps can be taken to address the  
14 evaluator's concerns. If Respondent and disciplinary counsel cannot reach an agreement, both  
15 parties shall present written materials and arguments to the Disciplinary Board. The  
16 Disciplinary Board shall decide whether and the conditions under which Respondent shall  
17 return to the active practice of law.

18 28. Respondent shall bear all costs associated with compliance with the terms and  
19 conditions of the stipulated discipline and reinstatement set forth herein.

20 29. Respondent shall not commit any criminal acts.

21 30. Respondent shall not be convicted of any crimes.

## 22 VII. RESTITUTION

23 31. Restitution is not appropriate in this matter.

1 **VIII. COSTS AND EXPENSES**

2 32. In light of Respondent's willingness to resolve this matter by stipulation at an early  
3 stage of the proceedings, Respondent shall pay attorney fees and administrative costs of \$1,000  
4 in accordance with ELC 13.9(i). The Association will seek a money judgment under ELC  
5 13.9(l) if these costs are not paid within 30 days of approval of this stipulation. Reinstatement  
6 from suspension is conditioned on payment of costs.

7 **IX. VOLUNTARY AGREEMENT**

8 33. Respondent states that prior to entering into this Stipulation he has consulted  
9 independent legal counsel regarding this Stipulation, that Respondent is entering into this  
10 Stipulation voluntarily, and that no promises or threats have been made by ODC, the  
11 Association, nor by any representative thereof, to induce the Respondent to enter into this  
12 Stipulation except as provided herein.

13 34. Once fully executed, this stipulation is a contract governed by the legal principles  
14 applicable to contracts, and may not be unilaterally revoked or modified by either party.

15 **X. LIMITATIONS**

16 35. This Stipulation is a compromise agreement intended to resolve this matter in  
17 accordance with the purposes of lawyer discipline while avoiding further proceedings and the  
18 expenditure of additional resources by the Respondent and ODC. Both the Respondent lawyer  
19 and ODC acknowledge that the result after further proceedings in this matter might differ from  
20 the result agreed to herein.

21 36. This Stipulation is not binding upon ODC or the respondent as a statement of all  
22 existing facts relating to the professional conduct of the respondent lawyer, and any additional  
23 existing facts may be proven in any subsequent disciplinary proceedings.

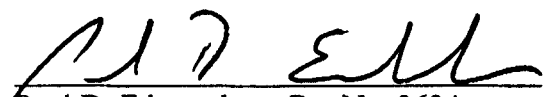
1 37. This Stipulation results from the consideration of various factors by both parties,  
2 including the benefits to both by promptly resolving this matter without the time and expense of  
3 hearings, Disciplinary Board appeals, and Supreme Court appeals or petitions for review. As  
4 such, approval of this Stipulation will not constitute precedent in determining the appropriate  
5 sanction to be imposed in other cases; but, if approved, this Stipulation will be admissible in  
6 subsequent proceedings against Respondent to the same extent as any other approved  
7 Stipulation.

8 38. Under Disciplinary Board policy, in addition to the Stipulation, the Disciplinary  
9 Board shall have available to it for consideration all documents that the parties agree to submit  
10 to the Disciplinary Board, and all public documents. Under ELC 3.1(b), all documents that  
11 form the record before the Board for its review become public information on approval of the  
12 Stipulation by the Board, unless disclosure is restricted by order or rule of law.

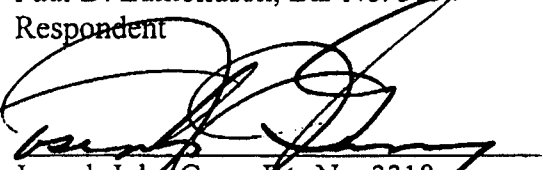
13 39. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it will  
14 be followed by the disciplinary action agreed to in this Stipulation. All notices required in the  
15 Rules for Enforcement of Lawyer Conduct will be made.

16 40. If this Stipulation is not approved by the Disciplinary Board and Supreme Court, this  
17 Stipulation will have no force or effect, and neither it nor the fact of its execution will be  
18 admissible as evidence in the pending disciplinary proceeding, in any subsequent disciplinary  
19 proceeding, or in any civil or criminal action.

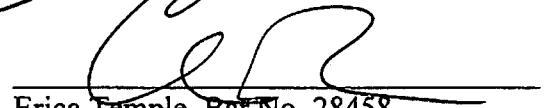
1 WHEREFORE the undersigned being fully advised, adopt and agree to this Stipulation  
2 to Discipline as set forth above.

3  
4   
5 Paul D. Edmondson, Bar No. 3634  
6 Respondent

Dated: 1-2-15

7   
8 Joseph John Ganz, Bar No. 3318  
9 Counsel for Respondent

Dated: 1-2-2015

10   
11 Erica Temple, Bar No. 28458  
12 Disciplinary Counsel

Dated: 1/2/15



**Allison Sato**

---

**From:** Erica Temple  
**Sent:** Wednesday, March 11, 2015 2:43 PM  
**To:** Allison Sato  
**Subject:** Emailing: Stipulation to Suspension signed.PDF  
**Attachments:** Stipulation to Suspension signed.PDF

Please file. Thanks.

**CONFIDENTIALITY STATEMENT:** The information in this e-mail and in any attachment may contain information that court rules or other authority protect as confidential. If this e-mail was sent to you in error, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message. Thank you.

Erica Temple  
WSBA  
1325 4th Avenue, Suite 600  
Seattle, WA 98101-2539  
(206) 727-8328