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4	FILED		
5	JAN 2 8 2015		
6	DISCIPLINARY BOARD		
7	BEFORE THE DISCIPLINARY BOARD		
8 9	OF THE WASHINGTON STATE BAR ASSOCIATION		
9 10	In re Proceeding No. 14#00020		
11	J. MICHAEL LOVEJOY, LOVELON (FLC 9.3(b))		
12	LoveJoy (ELC 9.3(b)) Lawyer (Bar No. 6012).		
13 14 15	J. Michael Lovejoy, being duly sworn, hereby attests to the following: 1. I am over the age of eighteen years and am competent. I make the statements in		
15	this affidavit from personal knowledge.		
17	2. I was admitted to practice law in the State of Washington on May 8, 1975.		
18	3. I was served with a Formal Complaint and Notice to Answer in this matter on		
19	August 21, 2014.		
20	4. I have voluntarily decided to resign from the Washington State Bar Association		
21	(the Association) in Lieu of Discipline under Rule 9.3 of the Rules for Enforcement of Lawyer		
22	Conduct (ELC).		
23	5. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged		
24	Affidavit of Respondent Page 1 OFFICE OF DISCIPLINARY COUNSEL OF THE WASHINGTON STATE BAR ASSOCIATION 1325 4 th Avenue, Suite 600 Seattle, WA 98101-2539 (206) 727-8207		

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1 misconduct for purposes of ELC 9.3(b). I am aware of the alleged misconduct stated in
2 disciplinary counsel's statement but, rather than defend against the allegations, I wish to
3 permanently resign from membership in the Association.

6. I have executed a Confession of Judgment in the amount of \$1,000 to the benefit of the Washington State Bar Association for payment for expenses and costs.

7. I understand that my resignation is permanent and that any future application by
me for reinstatement as a member of the Association is currently barred. If the Supreme Court
changes this rule or an application is otherwise permitted in the future, it will be treated as an
application by one who has been disbarred for ethical misconduct, and that, if I file an
application, I will not be entitled to a reconsideration or reexamination of the facts, complaints,
allegations, or instances of alleged misconduct on which this resignation was based.

8. I agree to (a) notify all other states and jurisdictions in which I am admitted of this
resignation in lieu of discipline; (b) seek to resign permanently from the practice of law in those
jurisdictions; and (c) provide disciplinary counsel with copies of this notification and any
response(s). I acknowledge that this resignation could be treated as a disbarment by all other
jurisdictions.

9. I agree to (a) notify all other professional licensing agencies in any jurisdiction
from which I have a professional license that is predicated on my admission to practice law of
this resignation in lieu of discipline; (b) seek to resign permanently from any such license; and
(c) provide disciplinary counsel with copies of any of these notifications and any responses.

10. I agree that when applying for any employment, I will disclose the resignation in
lieu of discipline in response to any question regarding disciplinary action or the status of my
license to practice law.

24 || Affidavit of Respondent Page 2

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1 11. I understand that my resignation becomes effective on disciplinary counsel's
 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) disciplinary
 counsel must do so promptly following receipt of this document and payment of costs and
 expenses.

5 12. When my resignation becomes effective, I agree to be subject to all restrictions that 6 apply to a disbarred lawyer.

13. Upon filing of my resignation, I agree to comply with the same duties as a disbarred lawyer under ELC 14.1 through ELC 14.4.

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Page 3

9 14. I understand that, after my resignation becomes effective, it is permanent. I will
10 never be eligible to apply and will not be considered for admission or reinstatement to the
11 practice of law nor will I be eligible for admission for any limited practice of law.

15. I certify under penalty of perjury under the laws of the State of Washington that

the foregoing is true and correct. 13 14 Loveiov Bar No. 6012 Date and Place 15 SUBSCRIBED AND SWORN to before me this 28^{h} 2015. 16 17 for the state Washington, residing at 18 My commission expires: 19 ENDORSED BY: 20 Marsha Matsumoto, Bar No. 15831 21 Senior Disciplinary Counsel 22 23 24 OFFICE OF DISCIPLINARY COUNSEL Affidavit of Respondent

OFFICE OF DISCIPLINARY COUNSEL OF THE WASHINGTON STATE BAR ASSOCIATION 1325 4th Avenue, Suite 600 Seattle, WA 98101-2539 (206) 727-8207

EXHIBIT A

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7	BEFORE THE		
	DISCIPLINARY BOARD		
8	OF THE		
9	WASHINGTON STAT	E BAR ASSOCIATION	
10	In re	Proceeding No. 14#00020	
11	J. MICHAEL LOVEJOY,	STATEMENT OF ALLEGED	
12	MISCONDUCT UNDER ELC 9.3(b)(1) Lawyer (Bar No. 6012).		
13			
14	The following constitutes a Statement of Alloged Missonduct under $Pulo (0.2(b)(1))$ of		
	The following constitutes a Statement of Alleged Misconduct under Rule 9.3(b)(1) of		
15	the Rules for Enforcement of Lawyer Conduct (ELC).		
16	I. ADMISSION TO PRACTICE		
17	1. Respondent John Michael Lovejoy was admitted to the practice of law in the State		
18	of Washington on May 8, 1975.		
19	II. ALLEGED FACTS		
20	2. Respondent maintained trust accounts at Bank of America for the deposit of client		
21	funds.		
22	3. Respondent's law practice cons	isted primarily of representing creditors in	
23	collection matters.		
24	Statement of Alleged Misconduct OFFICE OF DISCIPLINARY COUNSEL Page 1 OF THE WASHINGTON STATE BAR ASSOCIATION 1325 4 th Avenue, Suite 600 Seattle, WA 98101-2539 (206) 727-8207		

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the funds to his trust account, disbursed all of the funds to the client, and then invoiced the 2 client for attorney's fees. 3 On a number of occasions in 2010 and 2011, while Respondent was waiting to 5. 4 receive payment on an invoice and needed money to pay business expenses, Respondent 5 disbursed funds from his trust account to himself as "fees" even though the client did not have 6 funds in the trust account to cover the disbursement. Funds were repaid when invoices were 7 8 paid. Respondent funded these disbursements with money belonging to other clients. 9 6. Respondent made these disbursements knowing he had to replace the funds to his 10 7. 11 trust account. **III. ALLEGED MISCONDUCT.** 12 By converting other clients' funds to pay business expenses, while waiting for 8. 13 other clients to pay invoices for attorney's fees, Respondent violated RPC 1.15A(b). 14 15 DATED this <u>38</u>^m day of <u>January</u>, 2015. 16 17 Marsha Matsumoto, Bar No. 15831 18 Senior Disciplinary Counsel 19 20 21 22 23 24 OFFICE OF DISCIPLINARY COUNSEL Statement of Alleged Misconduct OF THE WASHINGTON STATE BAR ASSOCIATION Page 2 1325 4th Avenue, Suite 600 Seattle, WA 98101-2539

With certain creditor-clients, Respondent received funds in collection, deposited

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