

FILED
JAN 06 2014
DISCIPLINARY BOARD

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

JEFFREY T. HALEY ,
Lawyer (Bar No. 9526).

Proceeding No. 13#00055

RESIGNATION IN LIEU OF DISCIPLINE
(ELC 9.3(b))

Jeffrey T. Haley, 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 this affidavit from personal knowledge.
2. I was admitted to practice law in the State of Washington on October 30, 1979.
3. I was served with a Formal Complaint and Notice to Answer in this matter on August 20, 2013.
4. I have voluntarily decided to resign from the Washington State Bar Association (the Association) under Rule 9.3 of the Rules for Enforcement of Lawyer Conduct (ELC) in lieu of defending against disputed allegations of misconduct.
5. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged

DM

1 misconduct under ELC 9.3(b)(1). I am aware of the allegations of misconduct set forth in
2 Disciplinary Counsel's statement of alleged misconduct, and rather than defend against these
3 allegations, I wish to permanently resign from membership in the Association in lieu of further
4 disciplinary proceedings. Attached hereto as Exhibit B is my statement of reasons why I dispute
5 the allegations of misconduct. HH

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

12 7. I agree (a) to notify all other jurisdictions in which I am or have been admitted to
13 practice law of this resignation in lieu of discipline; ^(none) (b) to seek to resign permanently from the
14 practice of law in any other jurisdiction in which I am admitted; ^(none) (c) to provide Disciplinary
15 Counsel with copies of any of these notifications and any responses; ^(none) and (d) to acknowledge
16 that this resignation could be treated as a disbarment by all other jurisdictions. There are no
17 other jurisdictions in which I am or have been admitted to practice law. HH
HH
HH

18 8. I agree (a) to notify all other professional licensing agencies in any jurisdiction
19 from which I have a professional license that is predicated on my admission to practice law of
20 this resignation in lieu of discipline; ^(none) (b) to seek to resign permanently from any such license; ^(none)
21 and (c) to provide disciplinary counsel with copies of any of these notifications and any
22 responses. ^(none) There are no other professional licensing agencies in any jurisdiction from which I
23 have a professional license that is predicated on my admission to practice law. HH
HH
HH

1 9. I agree that when applying for any employment or license I will disclose this
2 resignation in lieu of defending against disputed allegations of misconduct in response to any
3 question regarding disciplinary action or the status of my license to practice law.

4 10. I am submitting with this affidavit a confession of judgment in the amount of
5 \$1,000 in favor of the Association under ELC 9.3(f).

6 11. I understand that upon receipt of this resignation and my executed confession of
7 judgment, Disciplinary Counsel will endorse the resignation and cause it to be filed with the
8 Clerk to the Disciplinary Board as a public and permanent record of the Association.

9 12. I understand that my resignation becomes effective upon its filing with the Clerk.

10 13. When my resignation becomes effective, I agree to ^{continue to} be subject to all restrictions that
11 apply to a disbarred lawyer, *as I have since 2006.*

12 14. Upon filing of my resignation, I agree to ^{continue to} comply with the same duties as a
13 disbarred lawyer under ELC 14.1 through ELC 14.4. Since 2006, I have complied with the
14 duties of a suspended lawyer under ELC 14.1 through ELC 14.4.

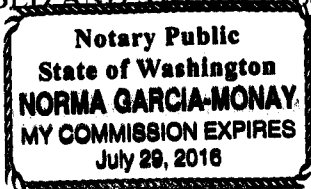
15 15. I understand that after my resignation becomes effective, it is permanent. I will
16 never be eligible to apply and will not be considered for admission or reinstatement to the
17 practice of law; nor will I be eligible for admission for any limited practice of law.

1 16. I certify under penalty of perjury under the laws of the State of Washington that
2 the foregoing is true and correct.

3 1/2/14 Bellevue
Date and Place

Jeffrey T. Haley
Jeffrey T. Haley, Bar No. 9526

4 SUBSCRIBED AND SWORN to before me this 2nd day of January, 2014.



6 [Signature]
NOTARY PUBLIC for the state of
Washington, residing at Bellevue, WA

7 My commission expires: July 29, 2016

8 ENDORSED BY:

9 [Signature]
10 Scott G. Busby, Senior Disciplinary Counsel
Bar No. 17522

1
2
3
4
5
6
7
8
9
10
11
12
13

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

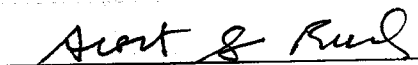
JEFFREY T. HALEY,
Lawyer (Bar No. 9526).

Proceeding No. 13#00055

STATEMENT OF ALLEGED
MISCONDUCT UNDER ELC 9.3(b)(1)

14 The attached Formal Complaint, filed on August 14, 2013, in Proceeding No. 13#00055,
15 constitutes Disciplinary Counsel's statement of alleged misconduct under Rule 9.3(b)(1) of the
16 Rules for Enforcement of Lawyer Conduct (ELC).

17 DATED this 5th day of December, 2013.

18
19 
20 Scott G. Busby, Bar No. 17522

21
22
23 EXHIBIT A
Page 1 of 4

FILED

AUG 14 2013

DISCIPLINARY BOARD

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re
JEFFREY THORNTON HALEY,
Lawyer (Bar No. 9526).

Proceeding No. 13#00055
FORMAL COMPLAINT

Under Rule 10.3 of the Rules for Enforcement of Lawyer Conduct (ELC), the Washington State Bar Association (the Association) charges the above-named lawyer with acts of misconduct under the Rules of Professional Conduct (RPC) as set forth below.

ADMISSION TO PRACTICE

1. Respondent Jeffrey Thornton Haley was admitted to the practice of law in the State of Washington on October 30, 1979.
2. In June 2006, Respondent was suspended from the practice of law for nonpayment of dues.
3. In July 2006, Respondent was suspended for one year under ELC 13.3 for violating RPC 1.8(a), 1.8(e), and 1.8(h).
4. Respondent has remained in a suspended status since June 2006.

906

1 EXHIBIT B

2
3 BEFORE THE DISCIPLINARY BOARD
4 OF THE
5 WASHINGTON STATE BAR ASSOCIATION

6 In re:

7 **JEFFREY T. HALEY,**

8 Lawyer

9 WSBA No. 9526

Proceeding No. 13#00055

HALEY'S STATEMENT OF REASONS
WHY HE DISPUTES THE ALLEGATIONS

10 The WSBA asserts that I have no right to warn others against dealing with a former
11 partner who has unjustly cost me money unless I am legally entitled to a judgment against
12 that former partner. According to the WSBA, if the former partner successfully asserts a
13 legal defense and has no legal obligation to reimburse my cost, it is wrongful for me to warn
14 others against the risk of dealing with this unscrupulous person. The WSBA's position is
15 that, if I ask the former partner to reimburse the cost I have suffered and inform the former
16 partner that, if my cost is not reimbursed, I will warn others against dealing with this person,
17 as I feel I have a moral duty to do, it is criminal extortion.

18 The WSBA's position is wrong on the law. When people feel screwed by any
19 business, they have a First Amendment right to inform others of their views, whether or not
20 they could win a judgment against the business in a court of law. They also have a right to
21 tell the business that, if the business reimburses the cost they have suffered, they will have no
22 grounds for complaint and will not publish a negative review. If the business feels the claim

23 HALEY'S STATEMENT OF REASONS
WHY HE DISPUTES THE ALLEGATIONS - 1

Jeffrey T Haley
13434 SE 27th Pl
Bellevue, WA 98005
206 919 1798

EXHIBIT B

Page 1 of 7

1 is unjust, it has the right to refuse to pay the cost and let the negative review be published.
2 The business can then publish their own statement of reasons why they think the claim is
3 unjust.

4 The right to publish a negative review when a person feels screwed by a business,
5 whether or not a court would give them a judgment, is essential to freedom of speech. The
6 proper remedy for speech that a party claims is wrong is more speech. It is not to recruit a
7 government regulatory body to silence the speaker with threats of an expensive disputed
8 proceeding. In this matter, the WSBA is siding with a group of its members against an
9 outsider – a person who is not a member and has no desire to be a member – and bringing the
10 weight of its resources against that outsider to silence his criticism of the members.

11 The right to publish a negative review when a person feels screwed by a business,
12 whether or not a court would give them a judgment, is also essential to maintaining a high
13 level of ethics by businesses. The WSBA's position would undermine the level of business
14 ethics in Washington state.

15 I ceased the practice of law in 2006 and I have no desire to resume the practice of law.
16 It is not worth the trouble for me to go through a disputed proceeding on this matter, so I
17 hereby permanently resign my former membership which has been in suspension for more
18 than seven years.

19
20
21 Jeffrey T. Haley

22
23 HALEY'S STATEMENT OF REASONS
WHY HE DISPUTES THE ALLEGATIONS – 2

Jeffrey T Haley
13434 SE 27th Pl
Bellevue, WA 98005
206 919 1798

EXHIBIT B
Page 1 of 2