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BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

WILLIAM M. STODDARD JR.,
Lawyer (Bar No. 9575).

Proceeding No. 17#00015

ODC File Nos. 16-00679, 16-01181

STIPULATION TO THREE-YEAR
SUSPENSION

Under Rule 9.1 of the Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to Three-Year Suspension is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through Managing Disciplinary Counsel Joanne S. Abelson, Respondent's Counsel Brett Andrews Purtzer, and Respondent William M. Stoddard Jr.

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

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1 outcome more favorable or less favorable to him. Respondent chooses to resolve this
2 proceeding now by entering into the following stipulation to facts, misconduct and sanction to
3 avoid the risk, time, and expense attendant to further proceedings.

4 I. ADMISSION TO PRACTICE

5 1. Respondent was admitted to practice law in the State of Washington on October 30,
6 1979.

7 II. STIPULATED FACTS

8 2. Respondent has known Danny Tabb for many years.

9 3. In approximately November 2015, Respondent began representing Mr. Tabb in a
10 dependency matter at the juvenile court, which had taken Mr. Tabb's son into foster care.

11 4. During this representation Mr. Tabb was incarcerated at the Pierce County Jail for
12 unrelated felony assault and criminal mischief charges in which he was represented by other
13 counsel.

14 5. In April 2016, Mr. Tabb advised law enforcement that Respondent brought drugs
15 and other contraband into the jail during visits related to his legal representation by Respondent.

16 6. On July 28, 2016, the Pierce County Prosecutor filed an Amended Information
17 charging Respondent with Attempted Introducing Contraband – Second Degree (RCW
18 9A.76.150(1)/RCW 9A.28.020) and Solicitation to Deliver a Controlled Substance (RCW
19 69.50.401(1)(2)(c)/RCW 9A.28.030). State v. Stoddard, Pierce County Superior Court Cause
20 No. 16-1-01691-1.

21 7. These crimes are gross misdemeanors.

22 8. On July 28, 2016, Respondent entered a guilty plea to the Amended Information.

23 9. In his Statement of Defendant on Plea of Guilty (Misdemeanor), Respondent

1 admitted,

2 In Pierce County WA, between March 21st 2015 and February 3, 2016 I agreed
3 with Danny Tabb to smuggle marijuana into the Pierce County Jail and took a
substantial step in doing so by buying the marijuana.

4 10. Respondent entered his guilty plea freely and voluntarily.

5 11. On July 28, 2016, the court sentenced Respondent to concurrent suspended sentences
6 of 364 days for each count (with one-day credit for time served), with conditions including that
7 he pay legal financial obligations, not violate the law, not use or possess controlled substances,
8 not associate with known drug users/sellers, and be prohibited from entering the Pierce County
9 Jail except if booked as a defendant.

10 III. STIPULATION TO MISCONDUCT

11 12. By committing the acts that resulted in his conviction of Attempted Introducing
12 Contraband – Second Degree and Solicitation to Deliver a Controlled Substance, Respondent
13 violated RPC 8.4(b) (criminal conduct).

14 IV. PRIOR DISCIPLINE

15 13. Respondent has no prior discipline.

16 V. APPLICATION OF ABA STANDARDS

17 14. The following American Bar Association Standards for Imposing Lawyer Sanctions
18 (1991 ed. & Feb. 1992 Supp.) applies to this case:

19 ABA Standard 5.1 -- Failure to Maintain Personal Integrity

20 5.11 Disbarment is generally appropriate when:

21 (a) a lawyer engages in serious criminal conduct, a necessary element
22 of which includes intentional interference with the administration of
23 justice, false swearing, misrepresentation, fraud, extortion,
misappropriation, or theft; or the sale, distribution or importation of
controlled substances; or the intentional killing of another; or an attempt
or conspiracy or solicitation of another to commit any of these offenses; or

1 (b) a lawyer engages in any other intentional conduct involving
2 dishonesty, fraud, deceit, or misrepresentation that seriously adversely
3 reflects on the lawyer's fitness to practice.

4 5.12 Suspension is generally appropriate when a lawyer knowingly
5 engages in criminal conduct which does not contain the elements listed in
6 Standard 5.11 and that seriously adversely reflects on the lawyer's fitness
7 to practice.

8 5.13 Reprimand is generally appropriate when a lawyer knowingly
9 engages in any other conduct that involves dishonesty, fraud, deceit, or
10 misrepresentation and that adversely reflects on the lawyer's fitness to
11 practice law.

12 5.14 Admonition is generally appropriate when a lawyer engages in
13 any other conduct that reflects adversely on the lawyer's fitness to
14 practice law.

15 15. Respondent acted intentionally.

16 16. Respondent's conduct caused potential injury to the Pierce County Jail as well as to
17 his client, who could have suffered repercussions within the jail.

18 17. The presumptive sanction is disbarment or suspension under ABA Standard 5.11 or
19 5.12.

20 18. The following aggravating factor applies under ABA Standard 9.22:

21 (i) substantial experience in the practice of law (admitted 1979).

22 19. The following mitigating factors apply under ABA Standard 9.32:

23 (a) absence of a prior disciplinary record; and

24 (l) remorse.

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

22 21. Based on the factors set forth above, the parties stipulate that the presumptive
23 sanction should be mitigated to a three-year suspension.

1 **VI. STIPULATED DISCIPLINE**

2 22. Respondent shall be suspended for three years for his conduct.

3 23. Respondent will be subject to probation for a period of two years after he is
4 reinstated to the practice of law.

5 24. The conditions of probation are set forth below. Respondent's compliance with these
6 conditions shall be monitored by the Probation Administrator of the Office of Disciplinary
7 Counsel ("Probation Administrator"). Failure to comply with a condition of probation listed
8 herein may be grounds for further disciplinary action under ELC 13.8(b).

9 25. During Respondent's probation he shall comply with all conditions imposed by the
10 court as part of his suspended sentence.

11 26. Every six months during his probation period, Respondent shall submit a written
12 report to the Probation Administrator attesting to his compliance with his court-imposed
13 conditions.

14 27. If Respondent fails to comply with his court-imposed conditions he shall advise the
15 Probation Administrator within 48 hours.

16 **VII. RESTITUTION**

17 28. Restitution is not appropriate in this case.

18 **VIII. COSTS AND EXPENSES**

19 29. In light of Respondent's willingness to resolve this matter by stipulation at an early
20 stage of the proceedings, Respondent shall pay attorney fees and administrative costs of \$1,000
21 in accordance with ELC 13.9(i). The Association will seek a money judgment under ELC
22 13.9(l) if these costs are not paid within 30 days of approval of this stipulation. Reinstatement
23 from suspension conditioned on payment of costs.

1 **IX. VOLUNTARY AGREEMENT**

2 30. Respondent states that prior to entering into this Stipulation he has consulted
3 independent legal counsel regarding this Stipulation, that he is entering into this Stipulation
4 voluntarily, and that no promises or threats have been made by ODC, the Association, nor by
5 any representative thereof, to induce the him to enter into this Stipulation except as provided
6 herein.

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

9 **X. LIMITATIONS**

10 32. This Stipulation is a compromise agreement intended to resolve this matter in
11 accordance with the purposes of lawyer discipline while avoiding further proceedings and the
12 expenditure of additional resources by the Respondent and ODC. Both the Respondent lawyer
13 and ODC acknowledge that the result after further proceedings in this matter might differ from
14 the result agreed to herein.

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

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

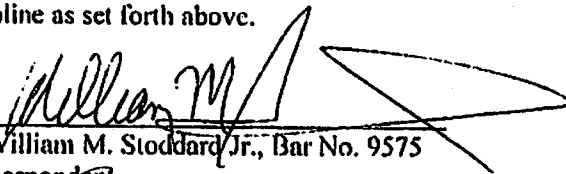
1 Stipulation.

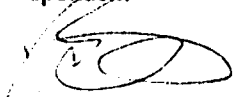
2 35. Under ELC 9.1(d)(4), the Disciplinary Board reviews a stipulation based solely on
3 the record agreed to by the parties. Under ELC 3.1(b), all documents that form the record
4 before the Board for its review become public information on approval of the Stipulation by the
5 Board, unless disclosure is restricted by order or rule of law.

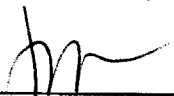
6 36. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it will
7 be followed by the disciplinary action agreed to in this Stipulation. All notices required in the
8 Rules for Enforcement of Lawyer Conduct will be made.

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

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

15 
16 William M. Stoddard, Jr., Bar No. 9575 Dated: 3/15/2017
17 Respondent

18 
19 Brett Andrews Purtzer, Bar No. 17283 Dated: 3/15/17
20 Counsel for Respondent

21 
22 Joanne S. Abelson, Bar No. 24877 Dated: 3/16/17
23 Managing Disciplinary Counsel