

FILED

Jul 5, 2022

**Disciplinary
Board**

Docket # 001

**DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION**

In re

PATRICK JAMES LEAHY,
Lawyer (Bar No. 10912).

Proceeding No. 22#00037

ODC File No. 21-00199

Resignation Form of Patrick James Leahy
(ELC 9.3(b))

I, Patrick James Leahy, declare as follows:

1. I am over the age of eighteen years and am competent. I make the statements in this declaration from personal knowledge.

2. I was admitted to practice law in the State of Washington on October 24, 1980.

3. After consulting with my counsel, Leland Ripley, I have voluntarily decided to resign from the Washington State Bar Association (the Association) in Lieu of Discipline under Rule 9.3 of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

4. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged misconduct for purposes of ELC 9.3(b). I am aware of the alleged misconduct stated in Disciplinary Counsel's statement, but rather than defend against the allegations, I wish to permanently resign from membership in the Association.

5. I consent to entry of an order under ELC 13.9(e) assessing expenses of \$1,500 in

1 this matter.

2 6. I agree to pay any additional costs or restitution that may be ordered by a Review
3 Committee under ELC 9.3(g).

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

10 8. I agree to (a) notify all other states and jurisdictions in which I am admitted of this
11 resignation in lieu of discipline; (b) seek to resign permanently from the practice of law in any
12 other state in which I am admitted; and (c) provide Disciplinary Counsel with copies of this
13 notification and any response. I acknowledge that this resignation could be treated as a
14 disbarment by all other jurisdictions.

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

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

22 11. I understand that my resignation becomes effective on Disciplinary Counsel's
23 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) Disciplinary

1 Counsel must do so promptly following receipt of this document.

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

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

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

9 15. I certify under penalty of perjury under the laws of the State of Washington that the
10 foregoing is true and correct.

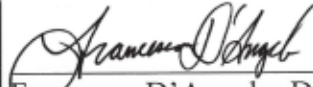
11 7-2-2022 Port Orchard, WA

12 Date and Place



Patrick James Leahy, Bar No. 10912

13 ENDORSED BY:

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15 Francesca D'Angelo, Disciplinary Counsel

16 Bar No. 22979

EXHIBIT A

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In re

PATRICK JAMES LEAHY,

Lawyer (Bar No. 10912).

Proceeding No. _____

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

The following constitutes a Statement of Alleged Misconduct under Rule 9.3(b)(1) of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

I. ADMISSION TO PRACTICE

1. Respondent Patrick James Leahy was admitted to the practice of law in the State of Washington on October 24, 1980.

II. ALLEGED FACTS

2. ODC opened a grievance against Respondent based on information that Respondent was not properly handling client funds.

3. Respondent maintained a pooled trust account ending in 9609 at Bank of America for the deposit of client funds.

1 4. Account 9609 is not an interest-bearing account and did not remit interest monthly
2 to the Legal Foundation of Washington in accordance with ELC 15.7(e)(2).

3 5. Respondent authorized a non-lawyer as a signatory on account 9609.

4 6. ODC conducted an audit of Respondent's account ending in 9609 for January 1,
5 2017 through March 31, 2022 ("audit period").

6 7. During the audit period, Respondent did not maintain complete or accurate client
7 ledgers.

8 8. During the audit period, Respondent did not maintain a complete or accurate check
9 register.

10 9. During the audit period, Respondent did not reconcile Respondent's account check
11 register to the client ledgers.

12 10. During the audit period, Respondent disbursed funds on behalf of clients who did
13 not have funds in trust, thereby using one client's funds on behalf of another.

14 III. ALLEGED MISCONDUCT.

15 11. By failing to maintain complete and/or current check registers, Respondent violated
16 RPC 1.15A(h)(2) and RPC 1.15B(a).

17 12. By failing to maintain complete and/or current client ledgers, Respondent violated
18 RPC 1.15A(h)(2) and RPC 1.15B(a)(2)

19 13. By failing to reconcile Respondent's account check register to the client ledgers,
20 Respondent violated RPC 1.15A(h)(6) and RPC 1.15B(a)(8).

21 14. By failing to deposit client funds into an interest-bearing trust account that remitted
22 interest monthly to the Legal Foundation of Washington in accordance with ELC 15.7(a),
23 Respondent violated RPC 1.15A(i) and 8.4(l).

1 15. By authorizing a non-lawyer as a signatory on account 8609, Respondent violated
2 RPC 1.15A(h)(9).

3 16. By disbursing funds on behalf of clients who did not have funds in trust, and by
4 disbursing one client's funds on behalf of another, Respondent violated RPC 1.15A(h)(8).

5 DATED this 30 day of June, 2022.

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Francesca D'Angelo, Bar No. 22979
8 Senior Disciplinary Counsel
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