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FILED

Apr 24, 2023

Disciplinary
Board

Docket # 005

RECEIVED

APR 24 2023

WSBA OFFICE OF
DISCIPLINARY COUNSEL

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

ANDRA RUTH BLONDIN,

Lawyer (Bar No. 28268).

Proceeding No. 23#00011

ODC File No(s). 21-01440, 21-01435, 22-01706, and 22-01721

Resignation Form of Andra Ruth Blondin
(ELC 9.3(b))

I, Andra Ruth Blondin, 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 November 2, 1998.

3. After consulting with my counsel, John Cornelius Versnel, 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.

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

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

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

11 8. I agree to (a) notify all other states and jurisdictions in which I am admitted of this
12 resignation in lieu of discipline; (b) seek to resign permanently from the practice of law; and (c)
13 provide Disciplinary Counsel with copies of this notification and any response(s). I acknowledge
14 that this resignation could be treated as a 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 4-21-2023 Longview,
Date and Place WA


Andra Ruth Blondin, Bar No. 28268

13 ENDORSED BY:

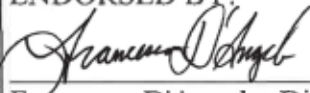
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15 Francesca D'Angelo, Disciplinary Counsel
Bar No. 22979

EXHIBIT A

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8 DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

9
10 In re

11 **ANDRA RUTH BLONDIN,**

12 Lawyer (Bar No. 28268).

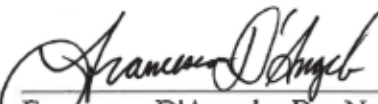
Proceeding No. 23#00011

ODC File No(s). 21-01440 and 21-01435, 22-01706, and 22-01721

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

15 The attached formal complaint, filed on April 4, 2023 in Proceeding No. 23#00011,
16 constitutes Disciplinary Counsel's statement of alleged misconduct under Rule 9.3(b)(1) of the
17 Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

18 DATED this 24th day of April, 2023.

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21 _____
Francesca D'Angelo, Bar No. 22979
22 Managing Disciplinary Counsel
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6 DISCIPLINARY BOARD
7 WASHINGTON STATE BAR ASSOCIATION

8
9 In re

10 **ANDRA RUTH BLONDIN,**

11 Lawyer (Bar No. 28268).

Proceeding No. 23#00011

12 FORMAL COMPLAINT

13 Under Rule 10.3 of the Washington Supreme Court's Rules for Enforcement of Lawyer
14 Conduct (ELC), the Office of Disciplinary Counsel (ODC) of the Washington State Bar
15 Association charges the above-named lawyer with acts of misconduct under the Washington
16 Supreme Court's Rules of Professional Conduct (RPC) as set forth below.

17 **ADMISSION TO PRACTICE**

18 1. Respondent Andra Ruth Blondin was admitted to the practice of law in the State of
19 Washington on November 2, 1998.

20 **FACTS REGARDING COUNTS 1 and 2 [Anna L. Brodt Grievance]**

- 21 2. Respondent is a solo practitioner practicing family law.
22 3. Beginning in October 2014, Respondent employed Anna Brodt as a legal assistant.
23 4. During the time that Respondent employed Brodt, Respondent was the only person

1 responsible for collecting federal employment taxes and paying the funds to the Internal
2 Revenue Service (IRS).

3 5. During the time that Respondent employed Brodt, Respondent withheld funds
4 from Brodt's paychecks and communicated to Brodt that the withheld funds were being sent to
5 the IRS for federal employment taxes.

6 6. During the time that Respondent employed Brodt, on one or more occasions,
7 Respondent did not pay the funds that Respondent withheld from Brodt's paychecks to the IRS
8 as required by law.

9 7. During the time that Respondent employed Brodt, Respondent did not file
10 quarterly tax returns with the IRS as required by law.

11 8. Brodt left Respondent's employment in April 2021.

12 9. Respondent's failure to file quarterly tax returns and/or failure to pay the funds
13 withheld from Brodt's paychecks to the IRS was willful.

14 10. Respondent was not entitled to the funds that Respondent withheld from Brodt's
15 paychecks.

16 11. Respondent knew that Respondent was not entitled to the funds that Respondent
17 withheld from Brodt's paychecks.

18 12. Respondent used the funds withheld from Brodt's paychecks for Respondent's
19 own purposes.

20 Respondent's Non-cooperation with the Grievance Investigation

21 13. In November 2021, Brodt filed a grievance against Respondent.

22 14. On February 14, 2022, ODC sent Respondent a request for documents ("ODC's
23 request").

1 15. ODC's request included copies of Respondent's business tax returns from 2014 to
2 2021, including but not limited to Form 941 - Employer's quarterly federal tax return, Form 940
3 - Employer's Annual Federal Unemployment tax return, Form W-3 - Transmittal of wage and
4 tax statements, and Form W-2 - Wage and tax statement.

5 16. ODC's request included Respondent's Washington State Employment Security
6 quarterly returns from 2014 to 2021.

7 17. ODC's request included any and all documents showing payment of Social
8 Security tax on behalf of Brodt.

9 18. ODC's request included any and all correspondence, including notices and/or
10 transcripts, received from or sent to the IRS.

11 19. ODC's request included any and all W-2 forms filed on behalf of Brodt during
12 Brodt's employment.

13 20. Respondent did not provide any of the documents specified in ODC's request.

14 21. On April 12, 2022, ODC issued a subpoena duces tecum requesting that
15 Respondent produce the same documents requested in ODC's request. The subpoena required
16 Respondent to produce the documents and to appear at a deposition.

17 22. Prior to the deposition, Respondent provided some of the subpoenaed documents
18 as follows:

19 23. Respondent provided partial quarterly employer federal tax returns for 2015 and
20 2016, but no other years.

21 24. Respondent provided Washington State Employment Security quarterly returns for
22 only four quarters in 2020 and three quarters in 2021.

23 25. Respondent provided Department of Labor & Industry quarterly reports for one

1 quarter in 2016, one quarter in 2019, four quarters in 2020, and one quarter in 2021.

2 26. Respondent provided only three checks evidencing payment of Social Security tax
3 on Brodt's behalf: one payment in 2015 and two payments in 2016.

4 27. Respondent provided only one of Brodt's W-2s.

5 28. Respondent did not provide any annual federal unemployment tax returns, or any
6 W-3 transmittals of wage and tax statements.

7 29. ODC continued the deposition to June 16, 2022 to allow Respondent additional
8 time to provide the subpoenaed documents.

9 30. Respondent did not provide any additional documents before or at the June 16,
10 2022 deposition.

11 31. On October 13, 2022, ODC filed a petition with the Washington Supreme Court,
12 requesting that Respondent's license be suspended pending cooperation with ODC's
13 investigation.

14 32. On November 17, 2022, the Supreme Court issued an order suspending
15 Respondent from the practice of law effective December 1, 2022.

16 33. On November 17, 2022, ODC wrote to Respondent's lawyer setting forth
17 Respondent's duties on suspension under ELC Title 14.

18 34. ODC's November 17, 2022 letter notified Respondent of the requirement that
19 within ten days of Respondent's suspension, Respondent had to notify all clients involved in
20 litigation or administrative proceedings of Respondent's suspension and inability to further
21 represent them and give similar notice to the lawyer or lawyers for any adverse party.

22 35. ODC's November 17, 2022 letter notified Respondent of the requirement that,
23 within 25 days of the date of suspension, Respondent must file an affidavit with ODC showing

1 full compliance with the notice provisions of Title 14.

2 36. To date, Respondent has not filed an affidavit with ODC showing full compliance
3 with the notice provisions of Title 14.

4 37. To date, Respondent has not fully complied with ODC's investigatory subpoena.

5 38. Respondent's license to practice law remains suspended.

6 **COUNT 1**

7 39. By withholding funds from one or more of Brodt's paychecks and failing to pay
8 the funds to the IRS, Respondent violated RPC 8.4(b) (by violating RCW 9A.56.030, 26 USC
9 § 7202 and/or 26 USC § 7203), RPC 8.4(c), and/or RPC 8.4(i).

10 **COUNT 2**

11 40. By failing to promptly respond to ODC's inquiries and requests and/or by failing
12 to respond to an investigatory subpoena and/or by failing to file an affidavit with ODC showing
13 full compliance with the provisions of Title 14, Respondent violated RPC 8.4(l) (by violating
14 ELC 1.5, 5.3(f), 5.3(g), and/or 5.5(d)).

15 **FACTS REGARDING COUNTS 3 and 4 [Amber Lynn Hansen]**

16 41. In June 2021, Amber Hansen hired Respondent to represent Hansen in a custody
17 dispute.

18 42. In November 2021, Respondent stopped representing Hansen.

19 43. Hansen requested Hansen's client file from Respondent.

20 44. Respondent did not return Hansen's client file.

21 45. On November 4, 2022, Hansen filed a grievance against Respondent.

22 46. On February 23, 2022, ODC requested that Respondent provide a complete copy
23 of Hansen's client file within 30 days.

1 47. Respondent did not provide Hansen's client file to ODC.

2 **COUNT 3**

3 48. By failing to provide documents when requested by ODC, Respondent violated
4 RPC 8.4(I) (by violating ELC 1.5, 5.3(f) and/or 5.3(g)).

5 **COUNT 4**

6 49. By failing to provide Hansen's client file to Hansen, Respondent violated RPC
7 1.16(d).

8 THEREFORE, Disciplinary Counsel requests that a hearing be held under the Rules for
9 Enforcement of Lawyer Conduct. Possible dispositions include disciplinary action, probation,
10 restitution, and assessment of the costs and expenses of these proceedings.

11 Dated this 4th day of April, 2023.

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14 Francesca D'Angelo, Bar No. 22979
15 Managing Disciplinary Counsel
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