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DISCIPLINARY  
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BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

In re  
**STEVEN J. BAKLUND,**  
Lawyer (Bar No. 29920).

Proceeding No. 15#00034  
STIPULATION TO 18-MONTH  
SUSPENSION

Under Rule 9.1 of the Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to an 18-Month Suspension is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsel Sachia Stonefeld Powell and Respondent lawyer Steven J. Baklund.

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 outcome more favorable or less favorable to him. Respondent chooses to resolve this proceeding now by entering into the following stipulation to facts, misconduct and sanction to

Stipulation to Discipline  
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OFFICE OF DISCIPLINARY COUNSEL  
OF THE WASHINGTON STATE BAR ASSOCIATION  
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Seattle, WA 98101-2539  
(206) 727-8207

019

1 avoid the risk, time, and expense attendant to further proceedings.

2 **I. ADMISSION TO PRACTICE**

3 1. Respondent was admitted to practice law in the State of Washington on May 26,  
4 2000.

5 **II. STIPULATED FACTS**

6 2. Respondent failed to comply with Mandatory Continuing Legal Education (MCLE)  
7 requirements for the reporting period ending December 2013.

8 3. On February 21, 2014, the Regulatory Services Department (RSD) of the  
9 Washington State Bar Association notified Respondent via letter that his license to practice law  
10 would be suspended if he did not comply with the MCLE requirements.

11 4. RSD contacted Respondent again on March 18, 2014, March 20, 2014, March 24,  
12 2014, March 26, 2014, and/or April 26, 2014 via e-mail, voicemail and/or letter about the  
13 matter.

14 5. In early May 2014, RSD notified Respondent via mail that he would be suspended  
15 effective May 8, 2014.

16 6. Respondent's license to practice law was suspended on May 8, 2014.

17 7. Respondent did not notify his clients of his suspension.

18 8. Respondent did not notify his clients of his inability to act as a lawyer after the  
19 effective date of his suspension.

20 9. Respondent did not advise his clients to seek prompt substitution of another lawyer.

21 10. On May 12, 2014, Respondent had a lengthy conversation with a member of RSD  
22 regarding the steps he needed to complete to reinstate his license.

23 11. Respondent concluded that conversation by stating that he knew what he needed to

1 do to reinstate the license.

2 12. Prior to May 12, 2014, two other members of the RSD department spoke to  
3 Respondent about the same issue.

4 13. By May 12, 2014, if not earlier, Respondent knew that his license to practice law  
5 was suspended.

6 14. Respondent reinstated his license on January 30, 2015.

7 15. Between May 8, 2014 and January 30, 2015, Respondent engaged in the practice of  
8 law in several matters on many occasions, including appearing in court representing clients in  
9 legal proceedings.

10 16. These matters included:

Court	Case
Federal Way Municipal Court	<u>City v. Jeimy Roxana Martinez</u> , 4Z0138694 FPD CT
Seattle Municipal Court	<u>City v. Maskerem B. Teklegioris</u> , 595965
Fife Municipal Court	<u>City v. Jeimy Roxana Martinez</u> , 3Z0780358 FFP CT
Kirkland Municipal Court	<u>City V. Joseph William Nelson</u> , 3Z0746531 KIT CT, <u>City V. Joseph William Nelson</u> , 38482 KIR CT, and <u>City V. Joseph William Nelson</u> , 3Z0746530 KIR IT

17 **III. STIPULATION TO MISCONDUCT**

18 17. By continuing to practice law after his license to do so was suspended, Respondent  
19 violated RPC 5.5(a) and RPC 5.8(a).

20 18. By failing to notify his clients of his suspension and of his inability to act as a lawyer  
21 after the effective date of his suspension, and by failing to advise his clients to seek prompt  
22 substitution of another lawyer, Respondent violated RPC 8.4(/) (by violating ELC 14.1).

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**IV. PRIOR DISCIPLINE**

19. Respondent received an admonition in 2011 for failing to notify his client that Respondent's license to practice law had been suspended, in violation of RPC 1.4(a)(3).

**V. APPLICATION OF ABA STANDARDS**

20. The following American Bar Association Standards for Imposing Lawyer Sanctions (1991 ed. & Feb. 1992 Supp.) apply to this case:

7.1 **Disbarment** is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, and causes serious or potentially serious injury to a client, the public, or the legal system.

7.2 **Suspension** is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

7.3 **Reprimand** is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

7.4 **Admonition** is generally appropriate when a lawyer engages in an isolated instance of negligence that is a violation of a duty owed as a professional, and causes little or no actual or potential injury to a client, the public, or the legal system.

21. Respondent's conduct was knowing.

22. Respondent's clients and the legal system suffered potential injury because all of the proceedings in which Respondent appeared during his suspension could be invalidated.

23. The presumptive sanction is suspension.

24. The following aggravating factors apply under ABA Standard 9.22:

- (a) prior disciplinary offenses [admonished in 2011 for failing to notify a client that his license to practice law had been suspended];
- (b) dishonest or selfish motive;
- (c) a pattern of misconduct; and
- (i) substantial experience in the practice of law [admitted in 2000].

1 25. No mitigating factors apply under ABA Standard 9.32.

2 26. However, it is a mitigating factor that Respondent has agreed to resolve this matter at  
3 an early stage of the proceedings.

4 27. On balance the aggravating and mitigating factors do not require a departure from  
5 the presumptive sanction.

6 28. The minimum term of suspension generally is six months, which is warranted when  
7 “there are either no aggravating factors and at least some mitigating factors, or where the  
8 mitigating factors clearly outweigh any aggravating factors.” In re Disciplinary Proceeding  
9 Against Halverson, 140 Wn.2d 475, 497, 998 P.2d 833 (2000). Here, because the aggravating  
10 factors outweigh the mitigating factor, the parties stipulate to an 18-month suspension.

11 **VI. STIPULATED DISCIPLINE**

12 29. Respondent shall receive an 18-month suspension for his conduct.

13 **VII. RESTITUTION**

14 30. No restitution is necessary in this matter.

15 **VIII. COSTS AND EXPENSES**

16 31. In light of Respondent’s willingness to resolve this matter by stipulation at an early  
17 stage of the proceedings, Respondent shall pay attorney fees and administrative costs of  
18 \$1058.45 in accordance with ELC 13.9(i). The Association will seek a money judgment under  
19 ELC 13.9(1) if these costs are not paid within 30 days of approval of this stipulation.  
20 Reinstatement from suspension is conditioned on payment of costs.

21 **IX. VOLUNTARY AGREEMENT**

22 32. Respondent states that prior to entering into this Stipulation he had an opportunity to  
23 consult independent legal counsel regarding this Stipulation, that Respondent is entering into

1 this Stipulation voluntarily, and that no promises or threats have been made by ODC, the  
2 Association, nor by any representative thereof, to induce the Respondent to enter into this  
3 Stipulation except as provided herein.

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

#### 6 X. LIMITATIONS

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

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

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

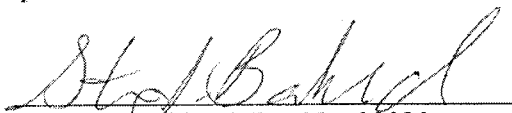
22 37. Under Disciplinary Board policy, in addition to the Stipulation, the Disciplinary  
23 Board shall have available to it for consideration all documents that the parties agree to submit

1 to the Disciplinary Board, and all public documents. Under ELC 3.1(b), all documents that  
2 form the record before the Board for its review become public information on approval of the  
3 Stipulation by the Board, unless disclosure is restricted by order or rule of law.

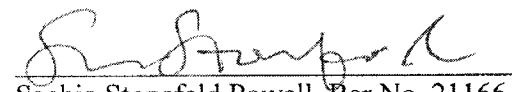
4 38. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it will  
5 be followed by the disciplinary action agreed to in this Stipulation. All notices required in the  
6 Rules for Enforcement of Lawyer Conduct will be made.

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

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

13   
14 Steven J. Baklund, Bar No. 29920  
15 Respondent

Dated: 7/10/15

16   
17 Sachia Stonefeld Powell, Bar No. 21166  
18 Disciplinary Counsel

Dated: 9/21/15