

FILED

Jan 13, 2023

Disciplinary
Board

Docket # 001

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

**GEOFFREY COLBURN
CROSS,**
Lawyer (Bar No. 3089).

Proceeding No. 23#00002

ODC File No. 22-01407

Resignation Form of Geoffrey Colburn Cross
(ELC 9.3(b))

I, Geoffrey Colburn Cross, 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 August 15, 1968.

3. I was electronically mailed a copy of a grievance filed against me on October 17, 2022, and physically mailed a copy of said grievance on January 4, 2023

4. 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).

5. 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

1 Disciplinary Counsel's statement, but rather than defend against the allegations, I wish to
2 permanently resign from membership in the Association.

3 6. I consent to entry of an order under ELC 13.9(e) assessing expenses of \$1,500.00 in
4 this matter.

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

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

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

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

22 11. I agree that when applying for any employment, I will disclose the resignation in
23 lieu of discipline in response to any question regarding disciplinary action or the status of my

1 license to practice law.

2 12. I understand that my resignation becomes effective on Disciplinary Counsel's
3 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) Disciplinary
4 Counsel must do so promptly following receipt of this document.

5 13. When my resignation becomes effective, I agree to be subject to all restrictions that
6 apply to a disbarred lawyer.

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

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

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

14 1/9/22 Tacoma, WA

15 Date and Place



Geoffrey Colburn Cross
Bar No. 3089

16 ENDORSED BY:

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18 Nate Blanchard, Disciplinary Counsel
19 Bar No. 58620
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EXHIBIT A

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

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8 DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

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10 In re
11 **GEOFFREY COLBURN**
12 **CROSS,**
13 Lawyer (Bar No. 3089).

Proceeding No. _____
ODC File No. 22-01407
STATEMENT OF ALLEGED
MISCONDUCT UNDER ELC 9.3(b)(1)

14
15 The following constitutes a Statement of Alleged Misconduct under Rule 9.3(b)(1) of the
16 Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

17 **I. ADMISSION TO PRACTICE**

18 1. Respondent Geoffrey Colburn Cross was admitted to the practice of law in the State
19 of Washington on August 15, 1968.

20 **II. ALLEGED FACTS**

21 2. The Grievants, Brett and Carinna Vogl, allege that Respondent represented them in
22 a civil matter against Cattermole Funeral Home, located in Winlock, Washington.

23 3. In the course of representation, the Grievants allege that Respondent engaged in

1 settlement negotiations with Cattermole Funeral Home.

2 4. The Grievants further allege that Cattermole Funeral Home communicated a
3 settlement offer of \$8,000.00 to Respondent, but Respondent did not inform the Grievants of the
4 settlement offer.

5 5. Thereafter, the Grievants allege that Respondent withdrew from representation.

6 6. The Grievants state that had they been informed of the settlement offer, they would
7 have accepted it.

8 7. Ultimately, the Grievants state they did not prevail in the matter against Cattermole
9 Funeral Home and subsequently received nothing.

10 **III. ALLEGED MISCONDUCT.**

11 8. By failing to inform Brett and Carinna Vogl of a settlement offer, Respondent
12 violated RPC 1.4.

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14 DATED this 13th day of January, 2023.

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Nate Blanchard, Bar No. 58620
Disciplinary Counsel
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