

FILED

Jun 12, 2026

Disciplinary
Board

Docket # 004

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

ROBERT PATRICK BROUILLARD,

Lawyer (Bar No. 19786).

Proceeding No. 26#00028

ODC File Nos. 25-00127, 25-00227, 25-01192

Resignation Form of Robert Patrick Brouillard
(ELC 9.3(b))

I, Robert Patrick Brouillard, 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 8, 1990.

3. 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 restitution of \$7,500 to Martin Thompson, plus interest at a rate of
4 12% per annum calculated from the date on which this Resignation Form is executed.

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 state or jurisdiction in which I am admitted; and (c) provide Disciplinary Counsel with
16 copies of this notification and any response(s). I acknowledge that this resignation could be
17 treated as a 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
15 June 12, 2026, at Shoreline, WA

16 Date and Place

Robert P. Brouillard

17 Robert Patrick Brouillard
18 Bar No. 19786

19 ENDORSED BY:



20 Henry Cruz, Senior Disciplinary Counsel
21 Bar No. 38799

1 **EXHIBIT A**

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8 DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

9
10 In re

11 **ROBERT PATRICK BROUILLARD,**

12 Lawyer (Bar No. 19786).

Proceeding No. 26#00028

13 ODC File Nos. 25-00127, 25-00227, 25-
14 01192

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

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 Robert Patrick Brouillard was admitted to the practice of law in the State
19 of Washington on November 8, 1990.

20 **II. ALLEGED FACTS**

21 2. At all relevant times, Respondent had an Interest on Lawyers’ Trust Account
22 (IOLTA) at Heritage Bank (hereinafter “the trust account”). Respondent was the sole signatory
23 on the trust account and the only one who could make withdrawals from the trust account.

1 **ODC Grievance (File No. 25-00227)**

2 3. On June 30, 2023, Respondent was reprimanded for violating various trust account
3 rules under the Washington Supreme Court's Rules of Professional Conduct (RPC), including
4 failing to maintain client funds in a trust account, making cash withdrawals from the trust account,
5 failing to maintain a trust account check register and client ledgers, and failing to perform bank
6 and client ledger reconciliations.

7 4. Respondent was placed on two years of probation. Under the terms of Respondent's
8 probation, Respondent was required to submit to the Office of Disciplinary Counsel (ODC), on a
9 quarterly basis, copies of all fee agreements entered into within the review period and various
10 trust account records. Respondent's quarterly review periods began on July 1, 2023, and ended
11 on March 31, 2025.

12 5. During Respondent's probationary period, ODC requested Respondent to correct
13 various deficiencies in Respondent's trust account records and submit missing trust account
14 records. These deficiencies included unattributed funds held in the trust account and withdrawing
15 funds in excess of the amount clients had on deposit in the trust account. Respondent failed to
16 correct these deficiencies or submit all missing records.

17 6. During Respondent's probationary period, Respondent failed to maintain complete
18 and accurate client ledgers and failed to perform bank or client ledger reconciliations.

19 7. During Respondent's probationary period, Respondent failed to provide clients
20 written notice of Respondent's intent to withdraw earned fees from the trust account prior to
21 withdrawing those funds.

22 8. On February 27, 2025, ODC opened a grievance against Respondent. ODC
23 requested the missing trust account records from Respondent's probationary period. Respondent

1 failed to submit most of the missing records.

2 9. ODC served Respondent with a subpoena demanding that Respondent produce the
3 missing trust account records from Respondent's probationary period. Respondent failed to
4 submit most of the subpoenaed records.

5 **Arnold Garcia Grievance (File No. 25-00127)**

6 10. On July 25, 2022, Arnold Garcia hired Respondent to represent Garcia in a personal
7 injury matter on a contingency fee basis. On July 27, 2022, Respondent filed a complaint for
8 damages in King County Superior Court (Garcia v. Tao, King County Superior Court Case No.
9 22-2-11799-1).

10 11. Respondent agreed to waive all attorney fees in the matter.

11 12. The parties agreed to a settlement of \$7,000. On September 19, 2024, the matter was
12 dismissed with prejudice.

13 13. On September 19, 2024, Respondent deposited the settlement funds in the trust
14 account.

15 14. Respondent provided Garcia a settlement statement that included a payment due to
16 The Hartford for a subrogation interest in the amount of \$1,104.10. Garcia asked Respondent to
17 request The Hartford to waive its subrogation interest so that the funds could go to Garcia.

18 15. On October 3, 2024, a representative of The Hartford informed Respondent that it
19 had waived its entire subrogation interest of \$1,104.10.

20 16. On October 17, 2024, Respondent transferred the \$1,104.10 to Respondent's
21 business checking account at Heritage Bank and used the funds for personal expenses.

22 17. Garcia did not authorize Respondent to withdraw the funds from the trust account
23 or use the funds for Respondent's expenses.

1 18. Respondent was not entitled to the \$1,104.10.

2 19. On October 17, 2024, Garcia texted Respondent whether The Hartford “agreed that
3 nothing was owed [or] disagreed and received the money.” On October 18, 2024, Respondent
4 responded to Garcia by text, stating: “I have contacted them. It’s an unusual request but I’m
5 hopeful.” This statement was false or misleading. Respondent already knew that The Hartford
6 had waived its subrogation interest.

7 20. On December 6, 2024, Elizabeth Garcia (Elizabeth), Garcia’s daughter, emailed
8 Respondent requesting an accounting of the settlement funds paid out in Garcia’s matter. On
9 December 8, 2024, Respondent replied by email, stating that the \$1,104.10 had been “paid out of
10 the settlement” to The Hartford. This statement was false.

11 21. In January 2025, Garcia filed a grievance against Respondent.

12 22. On March 25, 2025, Respondent issued Garcia a check for \$1,104.10 using funds
13 from Respondent’s business account.

14 23. Respondent made false statements and gave false testimony to ODC during the
15 grievance investigation.

16 24. ODC requested Respondent to produce records related to the grievance. Respondent
17 failed to comply.

18 25. ODC issued a subpoena directing Respondent to produce the same records.
19 Respondent did not fully comply with the subpoena.

20 **Martin Thompson Grievance (File No. 25-01192)**

21 26. On November 1, 2024, Martin Thompson, a North Dakota resident, hired
22 Respondent to represent Thompson’s interests in two probate matters in Washington: In re Estate
23 of Richard Oswald, Mason County Superior Court Case No. 94-4-00092-7, and In re Estate of

1 Mary Ann Oswald, King County Superior Court Case No. 14-405754-4. Respondent was hired
2 to reopen the Richard Oswald matter and have an alternate personal representative appointed in
3 that matter, and to provide certified copies of the Letters Testamentary from both probate matters
4 to Thompson's lawyer in North Dakota, Mary Guler. Guler would then open ancillary probate
5 matters in North Dakota so that mineral interests could pass to Mary Benson, heir to both estates,
6 and Thompson could pursue the mineral interests via an oil and gas lease executed by Benson.
7 Thompson told Respondent that time was of the essence to secure the mineral rights so that
8 Thompson could participate in new oil wells bring drilled or sell the mineral rights.

9 27. On November 8, 2024, Respondent deposited an advance fee of \$7,500 paid by
10 Thompson in the trust account.

11 28. By the end of December 2024, Respondent had transferred all of Thompson's funds
12 from the trust account to Respondent's business checking account at Heritage Bank as purported
13 earned fees. By the end of January 2025, Respondent had used all of Thompson's funds for
14 personal or business expenses.

15 29. Thompson did not authorize Respondent to withdraw any funds from the trust
16 account or use any of those funds for Respondent's expenses.

17 30. Respondent performed little work in the Thompson matter. Respondent was not
18 entitled to most of Thompson's funds.

19 31. Respondent did not send Thompson any billing statements or otherwise notify
20 Thompson in writing of Respondent's intent to withdraw any of the funds from the trust account.

21 32. On January 6, 2025, Respondent falsely stated to Thompson that Respondent had
22 met with Benson at Benson's home and that Respondent had emailed Ken Oswald, son of Richard
23 Oswald and designated alternate co-personal representative in the Richard Oswald matter.

1 33. During the representation, Respondent failed to respond to numerous emails from
2 Thompson asking for information about and the status of the probate matters, including an
3 accounting of all fees and costs incurred.

4 34. Respondent failed to provide a written response to the grievance.

5 35. Respondent failed to comply with ODC's requests for records and subpoena for
6 records.

7 III. ALLEGED MISCONDUCT.

8 36. By misappropriating client funds held in Respondent's trust account, Respondent
9 violated RPC 1.15A(b), RPC 8.4(b) (by committing the crime of theft), RPC 8.4(c), and RPC
10 8.4(i).

11 37. By testifying falsely under oath at an ODC deposition, Respondent violated RPC
12 8.4(b) (by committing the crime of false swearing, RCW 9A.72.040), RPC 8.1(a), RPC 8.4(c),
13 RPC 8.4(d), RPC 8.4(i), and RPC 8.4(l) (by violating ELC 5.3(g)).

14 38. By making false statements in the written response to Garcia's grievance,
15 Respondent violated RPC 8.1(a), RPC 8.4(c), RPC 8.4(d), RPC 8.4(i), and RPC 8.4(l) (by
16 violating ELC 5.3(f)).

17 39. By making false or misleading statements to clients, Respondent violated RPC 1.4
18 and RPC 8.4(c).

19 40. By making a false statement to Elizabeth, Respondent violated RPC 4.1(a) and RPC
20 8.4(c).

21 41. By failing to perform most of the work in Thompson's matter when time was of the
22 essence, Respondent violated RPC 1.3 and RPC 3.2.

23 42. By failing to respond to Thompson's requests for information and by failing to

1 inform Thompson of the status of the matter, Respondent violated RPC 1.4.

2 43. By failing to promptly or accurately provide a written accounting to clients after
3 distributing funds from trust or upon the client's request, Respondent violated RPC 1.4, RPC
4 1.15A(e), and RPC 8.4(c).

5 44. By failing to promptly deliver funds to Garcia, Respondent violated RPC 1.15A(f).

6 45. By failing to hold client funds in a trust account, Respondent violated RPC
7 1.15A(c)(1).

8 46. By failing to provide clients with written notice of Respondent's intent to withdraw
9 earned fees from the trust account, Respondent violated RPC 1.15A(c)(2) and RPC 1.15A(h)(3).

10 47. By withdrawing funds in excess of the amount clients had on deposit in
11 Respondent's trust account, Respondent violated RPC 1.15A(h)(8).

12 48. By failing to maintain complete and accurate client ledgers, Respondent violated
13 RPC 1.15B(a)(2).

14 49. By failing to reconcile the check register to the bank statements and by failing to
15 reconcile the check register to the combined total of all client ledgers, Respondent violated RPC
16 1.15A(h)(6).

17 50. By failing to comply with ODC's requests and subpoenas, Respondent violated RPC
18 8.1(b), RPC 8.4(d), and RPC 8.4(l) (by violating ELC 1.5, 5.3(f), 5.3(g), 5.5(d) and 13.8).

19
20 DATED this 4th day of June, 2026.



21
22 Henry Cruz, Bar No. 38799
23 Senior Disciplinary Counsel