

RÉSUMÉ

JOHN AVROM STRAIT

Personal:

Mailing Address: 1154 - 15th Avenue East
Seattle, Washington 98112

Phone: Home: (206) 323-0273
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Marital Status: Married to Barbara A. Isenhour
3 sons: Sascha (5/31/81),
Noah and Andrew (10/14/87)

Birthdate: June 19, 1943

Presently: Associate Professor of Law - Seattle U. School of Law
Areas of Specialization:
Professional Responsibility
Criminal Law
Trial and Appellate Advocacy
Evidence
Educational History:

Primary and Secondary

Education: San Francisco, California

College: University of California, Davis, B.A. (History), 1966
Departmental Honors;
Honors in Political Science;
University Service Award;
Officer in student and university government;
four-year letterman

Law School: Yale Law School, L.L.B. (J.D.) 1969

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Employment History: Garry, Dreyfus, McTernan & Brotsky
San Francisco, California 1969-1970

Reginald Heber Smith Fellow
Multnomah County Legal Services
Portland, Oregon 1970-1971

Public Defender Association
Seattle, Washington 1971-1974

Seattle University (University of Puget Sound)
School of Law 1974 to present

Private Practice 1974 to present

Special Deputy District Attorney
Alameda County District Attorney's Office
Oakland, California
Fall 1980 - Spring 1981
(white collar crimes; serial rape cases)

Assistant Supervisor of Felonies
Public Defender Association
Seattle, Washington
Fall 1989 - Fall 1990

Admission to Bar: California State Bar 1970
Oregon State Bar 1970
Washington State Bar 1972
Federal District Courts:
Northern California; Oregon; Washington, D.C.;
Wyoming;
Western District of Washington;
Eastern District of Washington
Ninth Circuit, D.C. Circuit
United States Supreme Court

**PARTIAL RESUME OF EXPERIENCE IN
LEGAL MALPRACTICE, LEGAL DISCIPLINE, AND LEGAL ETHICS**

**JOHN AVROM STRAIT
Attorney at Law
1154 - 15th Avenue East
Seattle, Washington 98112**

Admitted to Practice:

California (1970), Oregon (1970), Washington (1972)

Currently:

Private practice/consultant and Seattle University School of Law

Law School Teaching and Research:

Professional Responsibility (including legal ethics, judicial ethics and legal malpractice) 1976 to present

Selected Publications in Field of Professional Responsibility:

1. Scenarios and problems as a method for teaching problems in professional responsibility, University of Detroit School of Law, 1977
2. Materials on ethics for Legal Services lawyers. The Legal Services Corporation 1976, 1977, 1978 and 1980 (these materials are used in the initial lawyer training for newly hired legal services attorneys).
3. Materials on ethics for professional responsibility for the State Bar Associations of Alaska, Washington, Hawaii, New Mexico and California. These materials were developed for presentations on various aspects of Professional Responsibility for CLE programs and State Bar speaker programs for attorneys in each jurisdiction.
4. "Too Much Law," an unpublished set of materials for my Professional Responsibility course at the University of Puget Sound School of Law consisting of 700 pages of excerpts of cases, readings and problems in Professional Responsibility.
5. Problems in Judicial Ethics 1981, 1982, 1983 and 1984. These are materials which were prepared for presentation to the judicial conferences of Alaska and Washington dealing with the Judicial Code of Conduct.
6. A set of video tape scenarios raising problems in conflict of interest, duty to avoid misrepresentation, and competence generally for use in law

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schools and for bar associations in training lawyers in legal ethical responsibility. The current inventory is 13 separate scenarios ranging from 5 to 15 minutes in length which have been presented to the Bar Association of Alaska, in CLE programs in Washington and in California.

7. Lawyers Liability Review: "Written Fee Agreements," January 1987.
8. Lawyers Liability Review: "Avoiding Conflict of Interest--Repairing It Once Recognized," May 1986.
9. "So Your Client Wants to Lie," Washington State Bar News, Volume 41, No. 4, April 1987.
10. The Ethical Limits of Advertising and Solicitation, 1988, CLE materials.
11. "The Trial of Clarence Darrow: Ethics Then and Now." Article for the Washington State Bar Association annual convention for 1991 as part of a presentation and dramatization of Clarence Darrow's trial for perjury arising from the bombing of the *Los Angeles Times*.
12. "*Voir Dire* in Washington: The Constitution, Statutes and Cases." Prepared for the Washington State Trial Lawyers Association and for the Washington State Bar Association in 1991 and 1992.
13. "Review of Evidence Case Law" for the year of 1991, repeated in 1992 and in 1993 for the Washington Association of Criminal Defense Lawyers and for the Litigation Section of the Washington State Bar Association.
14. "Deposition Practice in Alaska." Materials including a case file, witness statements, a review of Alaska law and deposition practice for use in a two-day training program in deposition practice including ethical behavior in deposition practice in which I was the program director and leader of 14 faculty (1992).
15. "Ethics for Legal Assistants." An article written for the Washington State Trial Lawyers Association and for the Washington State Bar Association (1992).
16. "Ethics for CPAs." Materials written for the Tacoma Community College's continuing CPA program (1992).
17. "Scenarios in Ethics and Professionalism." Written for the Washington State Bar Association annual convention in September 1992.
18. "Ethics for Alaska Attorneys." A set of materials written for the Alaska State Bar Association, including an annotation of Alaska cases from territorial days to the present, covering concepts of professional responsibility and legal malpractice.

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19. The Seattle Port Authority. Appointed to an ethics advisory committee for which I wrote a definition of ethics and a procedural manual to address ethics complaints involving commissioners and employees of the commission.
20. "The Ethics of Marketing, Advertising and Solicitation in Washington." For the Washington State Bar Association (1993).
21. "Ethics for Legal Assistants." For use in training advocates for mentally disabled or other institutionalized individuals for the federally funded Protective Advocacy System (1991).
22. "Ethics for the Sole Practitioner." For the first annual convention of the ABA's General Practice section.
23. "Ethical Close Calls and the New Rules of Professional Conduct." A set of materials for the Alaska State Bar Association covering its 1993 adoption of the Rules of Professional Conduct with Alaska variants and a digest of all relevant Alaska case law.
24. "Professionalism and Ethics in Sentencing." For the 1993 Washington State Bar Association Bar Convention.

Past Bar Association Activities Relevant to Professional Responsibility:

1. Washington State Bar Association lawyer representative to the Judicial Ethics Advisory Committee as appointed by the Washington State Bar Governors and the Washington State Supreme Court.
2. Funded member, Rules on Professional Conduct Committee, Washington State Bar Association.
3. Frequent speaker on Lawyer and Judicial Ethics for the Washington State Bar Association.
4. Member King County Bar Association Campaign Ethics Committee.
5. Member Seattle-King County Bar Association Committee on Advertising.
6. Co-Chair Seattle-King County Bar Association Selection Committee II, 1992-93.

Other Professional Associations Regarding Responsibility:

1. The American Association of Law Schools Professional Responsibility section; speaker and organizer for presentations on how to teach professional responsibility and problems in professional responsibility for lawyers.
2. Ex-Board member Puget Sound Legal Assistance Foundation; professional responsibility subcommittee of the board; duties include

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reviewing problems of professional responsibility which arise from National Legal Services Corporation; Regulations and Rules applicable to legal services attorneys and reviewing cases that arise within the Puget Sound Legal Assistance Foundation for ethical problems and solutions.

3. Board member, Washington Chapter American Judicature Society;
4. Executive Committee Member, Washington State Bar Association Criminal Law Section;
5. Special District Counsel, appointed by the Board of Governors of the Washington State Bar Association to investigate disciplinary complaints;
6. Washington State Bar Association Board of Governor's appointee to the Statute Law Commission supervising the code revisor's office publishing cases statutes and administrative regulations for the State of Washington.
7. Member, Seattle Port Authority, Ethics Advisory Committee.

Other Past Professional Associations Regarding Responsibility:

1. Society for American Law Teachers subcommittee on professional responsibility.
2. Currently Board Chair Washington Appellate Defenders Association with responsibility for ethical problems at W.A.D.A.
3. Co-chair, Seattle King County Bar Association Judicial Screening Panels;
4. Co-chair, Seattle King County Bar Association Campaign Fair Practices Committee;
5. Member, Steering Committee, Seattle King County Bar Association Martin Luther King Commemorative Event;
6. The Rules of Professional Conduct Committee (member for the last 10 years) issuing advisory opinions on the Washington Rules of Professional Conduct.

Others Activities Since January 1999:

1. Member, Innocence Project working on The Wenatchee Child Sexual Abuse Cases.

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2. The Washington State Bar Association InterProfessionalism Committee coordinating professional relationships with medical and other forensic professional organizations.
3. The Washington State Bar Association Professionalism Committee trying to upgrade the professionalism of lawyers in Washington.

Lecturer and Consultant:

1. National Institute for Trial Advocacy; 1974 to present.
2. Hastings College of Trial Advocacy; 1977 to 1991.
3. Hastings College of Civil Advocacy, personal injury programs 1985, 1987, 1988, 1990.
4. Washington State Bar Association Bar convention speaker, 1980, 1982, 1983, and 1987-92.
5. American Judicature Society and National Appellate conference speaker.
6. King County Bar Association speaker in numerous CLE programs on ethics.
7. The National Association of Criminal Defense Lawyers, speaker, 1979-81, 1987, 1989 and 1992.
8. National Legal Aid and Defender Association speaker and panel coordinator on legal ethics, 1980 convention.
9. Alaska Bar Association speaker for CLE programs on legal ethics, 1983-85, and 1988-93.
10. Alaska Attorney General's Office and District Attorneys Association speaker on legal ethics, 1982, 1983 and 1986.
11. Hawaii Public Defender Association speaker on legal ethics 1975, 1988 and 1990.
12. New Mexico District Attorney Association speaker 1978 and 1979.
13. National Legal Services Corporation speaker, 1977-84, 1987, 1989, 1991 and 1993.
14. Washington State Judicial Conference, 1983 and 1984.
15. Washington State District Court Judges Association speaker 1978, 1984 and 1988.

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16. Alameda County District attorneys office speaker on legal ethics, 1980-81.
17. Traveler's Assurance Company house counsel training program 1981-86 (this includes specific training on the trial of legal malpractice cases and legal ethics for insurance defense counsel).
18. The National Endowment for the Humanities, 1979.
19. World Affairs Conference, Boulder, Colorado, 1979 and 1980.
20. House counsel training program for the law firm of Baker and Botts in Houston , Texas, 1985, 1986, 1988, 1990-93.
21. Washington Association of Criminal Defense Lawyers, 1986 to present.

Litigation:

Between 1978 and 1996, I have represented an average of three cases per year before the Washington State Bar on attorney discipline; and am retained as an expert witness an average of two to three times a month on professional responsibility issues with practitioners in the states of Alaska, Washington and California.

Expert Witness Qualified in the Field of Professional Responsibility:

Since 1980, I have testified in an average of three cases per year as an expert witness for either plaintiff or defendant in legal malpractice cases. I have been qualified as an expert witness in the Superior Courts for Skagit County, King County, Kitsap County, Whatcom, Clark, Spokane, Walla Walla, Snohomish, Mason, Thurston, and Kittitas Counties and in the Federal District Court for the Western District of Washington. I have testified in the states of Alaska, Hawaii, California and Wyoming. Among other cases of note in which I have been either an expert witness or involved as a consultant are Ross v. Seannell, 97 Wn.2d 598 (1992) and Demopolis v. Short and Cressman, 103 Wn.2d 52 (1985).

Arbitration:

I have testified as an expert witness in arbitrations in King and Pierce County and have sat as an arbitrator in legal malpractice or professional ethics related claims in Pierce County in approximately 20 cases.

Consultant:

Since 1978 I have consulted regularly with attorneys on legal ethics and legal malpractice related matters. I receive an average of one to two such calls daily at the current time.

Exhibit A