



JAMES E. LOBSENZ

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James E. Lobsenz joined the firm in 1989 through the merger of his firm, Wolfe & Lobsenz, P.S., with the Carney firm.

Mr. Lobsenz has an extensive appellate practice in both the state and federal appellate courts. His substantive areas of experience are constitutional law, freedom of speech, police misconduct, civil rights, criminal defense law, employment law and evidence.

After clerking for the Honorable Mathew O. Tobriner, Associate Justice of the California Supreme Court, and the Honorable Vincent L. McKusick, Chief Justice of the Supreme Judicial Court of Maine, Mr. Lobsenz came to Seattle and served as a deputy prosecuting attorney in King County for three years. Later he served as a public defender before going into private practice.

Mr. Lobsenz is the author of several law review articles, and he is an Adjunct Professor of Law at Seattle University, where he teaches courses on constitutional law, the First Amendment and civil rights litigation.

Mr. Lobsenz is the author of the website *Seattle Criminal Appeals*, where he publishes information on the criminal appeals process and representative cases.

Honors and Recognitions

Mr. Lobsenz is an elected Fellow of the American Academy of Appellate Lawyers. In 2009, Mr. Lobsenz received the William O. Douglas Award from the Washington Association of Criminal Defense Lawyers in recognition of exceptional lifetime courage and dedication to the defense of persons accused of crime. He also has received the 2010 Community Leadership Award from Washington's GLBT Bar Association for his work opposing discrimination against gays and lesbians in the armed forces; the 1991 Civil Libertarian Award from the Washington ACLU; and the 1985 Human Rights Day Award from the Seattle Chapter of the United Nations Association.

He has been named by Washington *Super Lawyers* magazine as one of the top attorneys in the state for each of the last eighteen years, including 2018, and a Top Lawyer by *Seattle Magazine* for multiple years.

Mr. Lobsenz has been listed in *Seattle Metropolitan Magazine* and *Seattle Business Magazine* as one of King County's "Top Lawyers" 2010 – 2018. They cull their listings from *Martindale-Hubbell* and *Super Lawyers*.

Education

JD, UC Berkeley School of Law,
1978

MA, Stanford University, 1975

BA, Political Science, Stanford
University, 1974

Bar and Court Admissions

State of Washington

U.S. Supreme Court

U.S. Court of Appeals, Ninth
Circuit

U.S. District Court, Western
District of Washington

U.S. Court of Claims

U.S. Court of Appeals for the
Armed Forces

Army Court of Criminal Appeals

Professional Associations

American Civil Liberties Union
of Washington, previously
served on legal committee for
thirty-seven years; former board
member

Northwest Women's Law Center

Society of Counsel for the
Representation of Accused
Persons, board of directors

Stanford Club of Western
Washington, former board
member

Washington Association of
Criminal Defense Lawyers,
former board member

Washington State Bar
Association

Representative Cases

Mr. Lobsenz has argued over 25 cases in the Washington Supreme Court and over 150 appeals in the state and federal courts. His past cases include the following:

Fisher Broadcasting – Seattle TV v. City of Seattle, 180 Wn.2d 515, 326 P.3d 688 (2014) (counsel for amicus curiae)

State v. Lau, 174 Wn. App. 857, 300 P.3d 838 (2013)

Tatham v. Rogers, 170 Wn. App. 76 (2012)

Yates v. Fithian, 2010 WL 3788272 (W.D. Wash. 2010)

State v. Sutherby, 165 Wn.2d 870 (2009)

Witt v. Department of the Air Force, 527 F.3d 806 (9th Cir. 2008)

Watada v. Head, 530 F. Supp. 2d 1136 (W.D.Wash. 2007)

M.L. v. Federal Way School District, 394 F. 3d 634 (9th Cir.) cert. denied 345 U.S. 1128 (2005)

State v. Stein, 144 Wn.2d 236 (2001)

King v. Olympic Pipeline Co., 104 Wn. App. 338 (2000)

Swinomish Indian Tribal Community v. Siland County, 87 Wn. App. 552 (1997)

Washington State Physicians Exchange v. Fisons, 122 Wn.2d 299 (1993)

Ski Acres, Inc. v. Kittitas County, 118 Wn.2d 852 (1992)

Employco Personnel Services v. Seattle, 117 Wn.2d 606 (1991)

In re Blauvelt, 115 Wn.2d 735, 801 P.2d 235 (1990)

Thao v. Control Data Corporation, 57 Wn. App. 802 (1990)

Watkins v. United States Army, 875 F. 2d 699 (9th Cir. 1989) (en banc), cert. denied, 498 U.S. 957 (1990)

Levison v. Washington Horse Racing Comm'n, 48 Wn. App. 822 (1987)

Publications

"Raising and Litigating Ineffective Assistance of Counsel Claims," Washington Criminal Defense, Vol. 16, No. 3 (August 2002)

"The Residential Tenant's Right to Freedom of Political Expression," (co-author) 10 University of Puget Sound Law Review 1 (1987)

"A Constitutional Right to an Appeal: Guarding Against Unacceptable Risks of Erroneous Conviction," 8 University of Puget Sound Law Review 375 (1985)

"Bakke, Lochner, and Law School: The Nobility Clause Versus a Republican Form of Medicine," 32 Maine Law Review 1 (1980)