

DANIEL T. SATTERBERG
PROSECUTING ATTORNEY



Office of the Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000

10 October 2011

CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION
NOT SUBJECT TO PUBLIC DISCLOSURE OR DISCOVERY

MEMORANDUM

TO: FILE

FROM: Erin Ehlert, Assistant Chief, Criminal Division

SUBJECT: Maggie Nave, Unit Chair, District Court Unit

On August 17, 2011, I learned of concerns regarding the mishandling of cases by Senior DPA Maggie Nave. I was present for a morning meeting to discuss this situation with Leesa Manion, Ian Goodhew, Dan Clark, and Mark Larson. I was then tasked, along with Dan Clark, with going to Maggie's office to determine whether there were cases in her office that were not being timely managed and processed.

Dan Clark and I spent approximately two hours with Maggie going through her entire office. We methodically worked our way around the entire office going through boxes, cabinets, and her desk. We collected any case that appeared to be untouched and awaiting a filing decision. We made no determination at that time as to the status of the case. Rather, we put all the cases into boxes and transported them to my office for later review. Maggie was completely cooperative and helpful throughout this time. Dan Clark and I returned in the afternoon and spent another hour going back through Maggie's office on our own, collecting several more cases.

Once all the cases were collected, I spent approximately two weeks logging and reviewing the cases. I determined whether the cases should have been filed or declined. I also found a number of cases that were simply copies of filed cases. I found parts of cases that were separate from the entire case, but again, the case had been filed. All of my determinations were put together in the attached log.



13 October 2011

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MEMORANDUM

TO: Senior DPA Maggie Nave

FROM: MRL

SUBJECT: Reprimand

On August 17, 2011, I learned of a concern about cases in your office that had not been filed/handled. As you know, our response was to open an investigation to determine the truth of this suspicion. Mark Stockdale, from the Civil/Employment section, headed the investigation.

At the conclusion of that process, it was determined that cases under your care had, in fact, been mishandled. The scope of the case mismanagement is outlined in an accompanying memo from Assistant Chief Erin Ehlert. However, a summary version is that over 100 cases in your office for some type of review (all of which were filable cases), were neglected and not filed within the statute of limitations.

Nothing more needs to be said about the significance of this mismanagement. In any other practice, this would be considered malpractice. It is also of significance that this failure stretched over a long period of time, dating back to 1999. In other words, this was not a singular failure or a problem that arose in one particular time frame. Rather, the failure was repeated, persistent and profound.

Maggie, you have been a valued Deputy in the office for many years. Your contribution as the Unit Chair of the District Court Unit is immeasurable. While the failures outlined above do not undo or overshadow the good work you performed, they demand a disciplinary response.

This reprimand serves that purpose along with your being removed from your post as the Chair of the District Court Unit. As for the future, be aware that this office has an unswerving expectation that case work be done in a timely fashion - and always within any applicable legal time constraint. Failure to meet these expectations in the future will lead to further discipline, up to and including termination.