

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED
AMENDMENTS TO RPC 1.13—ORGANIZATION
AS CLIENT, CMT. [4] AND RPC 1.16—
DECLINING OR TERMINATING
REPRESENTATION, NEW WASHINGTON CMT.
[16]

ORDER

NO. 25700-A-1346

The Washington State Bar Association Board of Governors, having recommended the adoption of the suggested amendments to RPC 1.13—Organization as Client, cmt. [4] and RPC 1.16—Declining or Terminating Representation, new Washington cmt. [16], and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the suggested amendments as attached hereto are adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested amendments will be published in the Washington Reports and will become effective September 1, 2021.

ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO RPC 1.13—
ORGANIZATION AS CLIENT, CMT. [4] AND RPC 1.16—DECLINING OR
TERMINATING REPRESENTATION, NEW WASHINGTON CMT. [16]

DATED at Olympia, Washington this 4th day of June, 2021.


González, C.J.


Johnson, J.

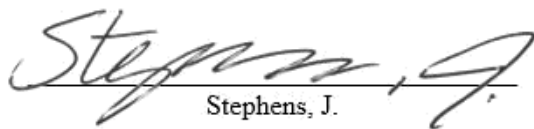

Gordon McCloud, J.

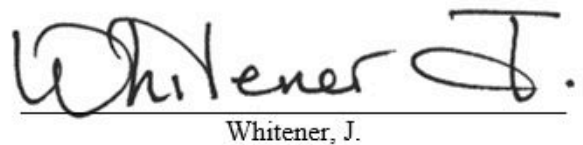

Madsen, J.


Yu, J.


Owens, J.


Montoya-Lewis, J.


Stephens, J.


Whitener, J.

RPC 1.13
ORGANIZATION AS CLIENT

(a)–(h) [Unchanged.]

Comment

[1]–[14] [Unchanged.]

Additional Washington Comments [15-16]

[15] Unchanged.

[16] In-house lawyers and lawyers with comparable employment situations may face unique employment expectations that impact their rights if discharged by the client. See *Karstetter v. King County Corrections Guild*, 193 Wn.2d 672, 444 P.3d 1185 (2019); Comment [4] to Rule 1.16.

RPC 1.16
DECLINING OR TERMINATING REPRESENTATION

(a)–(d) [Unchanged.]

Comment

[1]–[3] [Unchanged.]

Discharge

[4] [**Washington revision**] A client has a right to discharge a lawyer at any time, with or without cause, subject to liability for payment for the lawyer’s services. However, the rule may apply differently with respect to in-house lawyers and lawyers with comparable employment situations. See *Karstetter v. King County Corrections Guild*, 193 Wn.2d. 672, 444 P.3d 1185 (2019); Washington Comment [16] to Rule 1.13. Where future dispute about the withdrawal may be anticipated, it may be advisable to prepare a written statement reciting the circumstances.

[5]–[9] [Unchanged.]