

# WASHINGTON STATE BAR ASSOCIATION

## Committee on Professional Ethics

### Meeting Minutes

April 7, 2023

The meeting was held via video conference.

Members present were Pam Anderson, (Chair), Lucinda Fernald, Vince Lombardi, Hugh Spitzer, Janice Wang, Monte Jewell, and BOG Liaison Kevin Fay. Brooks Holland, Asel Neutze, and Michele Carney were excused. Also present were Jeanne Marie Clavere (staff liaison), Sandra Schilling, Professional Responsibility Counsel (PRC), and Doug Ende, Chief Disciplinary Counsel.

The chair called the meeting to order at 10:01 a.m.

#### **Announcements/Updates**

- Staff shared that there are two CPE openings for FY 24 and encouraged members to contact colleagues in their legal community to consider applying before the application deadline of April 21.
- Staff informed members that the August meeting date has been changed to August 25. Members are encouraged to check their availability as soon as possible.
- A new box folder has been uploaded for sharing innovative ethics articles, opinions, etc.

**The February 24, 2023, minutes were approved.**

#### **Proposed Amendments to 7.2 (now 7.3), 1.5 (c), and 5.4**

The subcommittee reported that the BOG approved the proposed amendments at the March 4, 2023, meeting.

#### **RPC 1.6 Reporting Data and Client Privacy**

The subcommittee reported that it sent out the draft opinion to twenty-three stakeholders for comment with the goal of finalizing the draft opinion at the June meeting

#### **Proposed Changes to RPC 1.8(e) and Comment Period Ending April 30, 2023**

The CPE met with Anita Khandelwal of the King County Office of Public Defense to discuss suggested amendments to RPC 1.8(e). The CPE determined that no further action by the committee was warranted at this time.

#### **RPC 1.4 and Language Access in the Client-Lawyer Relationship**

The subcommittee circulated a clean draft and discussed language variations. The subcommittee will next send it out to stakeholders.

#### **Clarifying RPC 1.7(a)(3) and Government Law Offices Representing Separate Agencies**

The CPE reviewed a draft and will continue its review at the June meeting.

#### **WA Attorney General Office Request for Advisory Opinion Re Reproductive Health Care**

The subcommittee will develop a recommendation to the BOG for no advisory opinion but for a suggested comment, and to ask to place the issue on the BOG June meeting agenda. Pam will write to Terra regarding CPE action.

The meeting adjourned at 12:59.