

COMMITTEE ON PROFESSIONAL ETHICS

June 12, 2026

The meeting was held in person and via video conference.

Members present were Mark Fucile (Chair), Judge Frederick Corbit, Michele Carney, Zachary Dillon, Abraham Ritter, Amber Lynott and Peter Jarvis. Seth Endo was excused. BOG Liaison Mary Rathbone was absent. Also present were Sarah Pendleton, Supreme Court Clerk, Jeanne Marie Clavere (staff liaison), Sandra Schilling, Professional Responsibility Counsel (PRC), Kevin Plachy, Director of Advancement Department, and Doug Ende, Chief Disciplinary Counsel.

The chair called the meeting to order at 10:03 a.m.

Announcements/Updates

- Staff updated the committee regarding WSSC issued orders to amend RPC 1.5 and 1.16, effective September 1, 2026.

The April 17, 2026, Minutes were approved.

WSSC Suggested Changes to RPC and Comments re AI

The committee moved to approve the AI comments as amended at the meeting. The subcommittee will finalize a memo and work with staff to present it to the BOG.

Public Defender Caseloads. The committee reviewed comments the subcommittee received from WSBA members and stakeholders. The subcommittee intends to present a final proposed opinion at the next meeting.

CPE ROP, and Integration of Lawyer RPC, LLLTRPC and LPORPC

The committee reviewed a final draft procedures and draft charter following OGC review. The subcommittee will run the final version by Chief Regulatory Counsel and plans to present this again at the August meeting.

Withdrawals and Declinations based on RPC 1.16 (a)(2)

The committee moved to send the draft opinion to stakeholders for comment and post on the WSBA website Proposed Advisory Opinion page.

Issues Arising in Law Firm Departures

The subcommittee is continuing work on a draft opinion.

RPC 5.5 and “Assisting” UPL

PRC reported that the opinion is posted on the WSBA database, and a FAQ is posted on the Ethics page.

Subscription Fee Models

The subcommittee reported that an advisory opinion is not appropriate at this time, and the issue is tabled.

Proposed Update to AO 1957

The subcommittee is working on a draft opinion, and plans to present a revised draft at the next meeting.

Potential New Advisory Opinions

The Committee declined to move to draft an opinion on Legal Mail and RPC 1.6.

A subcommittee was formed to evaluate possible amendments to RPC 1.14 pursuant to changes to MR 1.14

Disciplinary Counsel reported regarding ABA recommendations to amend comments to the ABA Model Rules.

The meeting adjourned at 1:31 PM