

COMMITTEE ON PROFESSIONAL ETHICS

MEETING MINUTES

December 12, 2025

The meeting was held via video conference.

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

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

Announcements/Updates

- The committee reviewed new stakeholder outreach options online. The committee will review responses and the procedure's effectiveness after 6 opinions have been posted.
- Committee members introduced themselves.
- Chief Disciplinary Counsel reviewed ABA proposals regarding possible MRPC amendments.

The October 10, 2025, Minutes were approved.

Permanent Internet Links. Staff informed the committee that the WSBA Advisory Opinion database cannot incorporate links.

Public Defender Caseloads. The committee reviewed a draft opinion. It will review again at the February meeting.

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

The committee reviewed draft procedures and will review again at the next meeting.

Ethics Issues and the Use of Large Language Models AO

The opinion has been presented to the BOG and is uploaded to the Advisory Opinion database and website. Staff have written a blog which is pending publication.

AO re Retention of Personal Name in Firm Name

The opinion has been presented to the BOG and is uploaded to the Advisory Opinion database and website. Staff have written a blog which is pending publication.

AO on the Refund of Advance Fees in IOLTA paid by 3rd party

The opinion has been presented to the BOG and is uploaded to the Advisory Opinion database and website. Staff will write a blog to publicize its posting.

Advisory Opinion Re RPC 1.4 and Language Access

This AO is in line for presentation to the BOG at its next meeting.

Request for Advisory Opinion re Vacating Convictions in the Absence of an Established Attorney-Client Relationship

This AO has been presented to the BOG and has been posted on the WSBA Advisory Opinion database and website.

Posting Advisory Opinions Procedure

Staff will email the committee when opinions are posted on the database.

RPC 5.5 and “Assisting” UPL

The draft has been circulated to stakeholders and will be reviewed at the next meeting.

AO re Fee Splitting with a Former Firm

The opinion has been presented to the BOG and is uploaded to the Advisory Opinion database and website. Staff will write a blog to publicize its posting.

Subscription Fee Models

The committee reviewed the draft and the subcommittee will present again at the next meeting.

Departing Lawyer Difficulties

The subcommittee has been gathering material regarding the issues.

Potential New Advisory Opinions

A motion was passed to form a subcommittee regarding lawyer mental and physical health impairment affecting representation.

A motion was declined to form a subcommittee regarding contingency fee agreements and outsourcing case expenses.

The meeting adjourned at 1:35 PM