**COMMITTTEE ON PROFESSIONAL ETHICS**

**MEETING MINUTES**

**August 22, 2025**

The meeting was held via video conference.

Members present were Monte Jewell (Chair), Zachary Dillon, Sara Ayoubi, Mark Fucile, Hugh Spitzer, Tommy Tobin, Michele Carney, Peter Jarvis, and Amber Lynott. BOG Liaison Mary Rathbone was absent. Also present were Jeanne Marie Clavere (staff liaison), Sandra Schilling, Professional Responsibility Counsel, Kevin Plachy, Advancement Department Director, Kirsten Schimpff, Discipline Department Associate Director.

The chair called the meeting to order at 10:05 a.m.

 **Announcements/Updates**

* Monte Jewell is departing as chair as of FY 26, and Mark Fucile will be the new chair. The October meeting will be hybrid; seven FY 26 meetings will be hybrid. December and February will be virtual.
* The committee thanked departing members for their dedicated service.
* The committee thanked Sara Ayoubi for her participation in a successful WSBA CLE presentation regarding AO 202402 with over 1250 members registered.
* The chair shared that the Government Lawyers Bar Association is inviting a CPE member to present at its upcoming annual ethics CLE. The chair will facilitate connecting interested members with the Association.
* The CPE will explore posting draft opinions on the CPE web page so that members can comment directly to subcommittee members. Staff will also explore posting information regarding draft opinions in WSBA Take Note.
* The Supreme Court approved proposed amendments to rules regarding government lawyers’ duties of confidentiality and conflicts, RPC 1.7, 1.0B, 1.10, 1.13. WSSC Order 25700-A-1649.
* The Supreme Court also approved a change to comments in RPC 6.1 WSSC Order 25700-A-1650.

**The June 27, 2025, Minutes were approved.**

**Permanent Internet Links.** The committee discussed PermaLink, current red book citation standards, and the possibility of using an archiving service regarding links in opinions. Kevin Plachy will explore the issue within the WSBA and report back at the October meeting.

**Ethics Opinion Amendments by Request.** A motion was made and passed to withdraw AO 2124. A second motion was made and passed to withdraw AO 2184 and to amend AO 201601 to strike a sentence referencing APR 13(f). The chair will inform Doug Ende and Renata Garcia regarding these motions and staff will effectuate the changes.

**Public Defender Caseloads.** The subcommittee chair reported that the subcommittee will meet in September and report updates at the October meeting.

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

The subcommittee chair reported that the subcommittee agreed it was appropriate for the CPE to provide notice to the LLLT and LPO boards of suggested changes to RPCs and relevant draft advisory opinions but did not have clarity regarding broader guidance. The subcommittee will invite WSBA directors (Doug Ende, Kevin Plachy and Renata Garcia) to their next subcommittee meeting to assist in its deliberation to gain additional clarity prior to summarizing options and presenting a recommendation at the October CPE meeting.

**Ethics Issues and the Use of Large Language Models AO**

A motion was made and passed to approve the final draft of the AO. The subcommittee chair will prepare final materials and send them to staff for submission to the BOG.

**AO re Retention of Personal Name in Firm Name**

 Staff has prepared the final draft of the opinion for presentation to the BOG.

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

Staff has finalized the final draft of the opinion and the memo to the BOG for presentation to the BOG.

**Advisory Opinion Re RPC 1.4 and Language Access**

The subcommittee will present a final draft at the October meeting after final review of comments and outreach to the LLLT and LPO boards.

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

A motion was made and passed to approve the final draft of the AO. The subcommittee chair will prepare a memo and documents for presentation to the BOG. Staff will finalize the documents before submission.

**AO re Fee Splitting with a Former Firm**

A motion was made and passed to approve the final draft of the AO. The subcommittee will prepare a memo and documents for submission to the BOG. Staff will finalize the materials for the BOG.

**RPC 5.5 and “Assisting” UPL**

The subcommittee is continuing work on the draft and will solicit feedback from Doug Ende.

 **Subscription Fee Models**

The subcommittee received feedback on the draft opinion and some members indicated they would give further suggestions directly to the subcommittee. The subcommittee will continue work on the draft opinion and identify stakeholders including the LLLT board

The meeting adjourned at 12:27 PM