

## Faulk, Camilla

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**From:** Sullins, Nancy  
**Sent:** Tuesday, February 26, 2008 7:42 AM  
**To:** Faulk, Camilla  
**Subject:** FW: Proposed amendments to RPC 1.5

Hi Camilla:

Please place with the other comments on the proposed court rule changes.

Thanks,  
Nan

-----Original Message-----

**From:** JeffT851@aol.com [mailto:JeffT851@aol.com]  
**Sent:** Monday, February 25, 2008 3:08 PM  
**To:** AOC DL - Rules Comments  
**Subject:** Proposed amendments to RPC 1.5

Thank you for the opportunity to comment on the proposed amendment to RPC 1.5.

First, is the "illness" the amendment attempts to cure wide spread enough to justify a Rule amendment? Certainly the facts of the DeRuiz case are outrageous, outside the normal, daily attorney-client relations. In the tens of thousands of daily attorney-client interactions isn't that the exception rather than the rule? Certainly without any Rule changes Mr. DeRuiz's client had the right to fee arbitration or to file a lawsuit in the dispute regarding the fee.

Throughout this state lawyers and varying clients have individual histories and experiences. There is no requirement for written fee agreements and I don't think there ever should be. Let the market and individual wishes and wants of the attorney and client govern the formality of the fee arrangement. Many of my clients would be put off by a written fee agreement. For nearly a hundred years lawyers and clients have worked together. Sometimes written fee agreements exist. Sometimes they don't. Usually clients pay for the work their lawyers perform. Sometimes they don't. For the Court to create a new set of rules to resolve, or in reaction to, the DeRuiz facts seems overreaction. Let the thousands of honest lawyers who ply their trade every day, working hard for their clients, working with their clients, striving in their clients' best interest, continue with the existing rules. The DeRuiz facts are an aberration, certainly not the normal situation. The perceived illness attempting to be cured is too uncommon to change the rules of engagement. Dishonest lawyers won't mind the rules, whatever they are. Honest lawyers will earn a reasonable fee. Changing the rules is needed. The basic rule -- a lawyer's fee should be reasonable -- really, says it all.

Jeff Tolman -- Poulsbo

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