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THE ALLIANCE  
for Equal Justice  
SUPPORTER

April 9, 2012

Justice Charles Johnson, Chair  
Supreme Court Rules Committee  
Temple of Justice  
PO Box 40949  
Olympia, WA 98504-0949

Re: ATJ Board Support for Draft Comment [4] to RPC 4.4 – Respect for Rights of Third Persons

Dear Justice Johnson:

For many years the Access to Justice (ATJ) Board has been concerned about the ethical dilemma of a lawyer using the immigration status of a party or witness as an intimidation tool in civil proceedings. We are very pleased that the Washington State Bar Association Board of Governors has approved a draft comment to address this unethical practice, and write in strong support of the adoption of the comment by the Supreme Court as an amendment to the Rules of Professional Conduct.

The ATJ Board works to achieve equal access to the civil justice system for those facing economic and other significant barriers to the justice system, including immigrant status. As documented in the Supreme Court's Civil Legal Needs Study and through "listening sessions" conducted by the ATJ Board throughout the state, many immigrants choose not to seek the redress of their grievances in our court system because of they fear they will not be treated fairly because of their status. The promise of equal justice under law is an empty one unless we hold ourselves accountable to clear and unambiguous standards of ethical conduct. We believe the draft comment will accomplish this.

Thank you.

Sincerely,

Kirsten Barron, Chair  
Access to Justice Board

Cc: Steve Crossland, WSBA President  
Paula Littlewood, WSBA Executive Director  
Dan Ford, WSBA Governor  
Access to Justice Board