

## Foster, Denise

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**From:** Sarah Leyrer [Sarah.Leyrer@ColumbiaLegal.org]  
**Sent:** Wednesday, April 10, 2013 3:25 PM  
**To:** Foster, Denise  
**Subject:** Suggested New Comment to RPC 4.4

Dear Clerk,

I am writing in favor of the Suggested New Comment to RPC 4.4. My clients are almost exclusively Spanish-speaking immigrants and I know the power threats to immigration status can have on people in that population, documented or not. The threat implies destruction of lives built over many years, the separating of families, the sudden loss of jobs or property in the upheaval, and facing a system that can deprive people of liberty and community with few guaranteed protections. It is no wonder that this threat is so effective.

A few years ago, I took a property dispute case in central Washington based solely on the fact that the opposing attorney, in his demand letter, threatened to report my client to immigration authorities if he didn't surrender his claim to the property. I knew this threat was wrong, but I had no strong authority from the RPCs to back me up. I tried to educate the other attorney on this, including the fact that non-citizens can enter contracts and have rights in this country. Ultimately we settled, and I hope that attorney will not use such threats again.

Adopting the Suggested New Comment to RPC 4.4 will make the ethical line clear to attorneys across the state. I believe that clarity is needed, especially because issues around immigration status are confused by strong emotion and social rhetoric.

**Sarah Leyrer \* Columbia Legal Services**

*Attorney - Working Families Project*

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