

**Superior Court of the State of Washington
for the County of King**

Mary I. Yu
Judge
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March 28, 2013

Justice Charles Johnson
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

RE: Proposed Comment to RPC 4.4

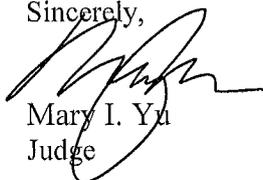
Dear Justice Johnson and Members of the Rules Committee:

I write to express my personal support of the proposed Comment to RPC 4.4 that has been submitted for your adoption by the Board of Governors of the Washington State Bar Association. The proposed Comment relates to the use of a person's immigration status when the sole purpose is to intimidate, coerce, or obstruct that person's participation in a civil matter. As a trial court judge in a diverse county, I assure you that the practice of such intimidation actually occurs and the Supreme Court's leadership on the issue is necessary to put an end to this unfortunate practice.

The proposed Comment does not suggest that a person's immigration status is never relevant and necessary for adjudication. Rather, the Comment recognizes this possibility and only addresses the situation where one is using it to *intimidate, coerce or obstruct* participation in a civil case. I cannot imagine a situation where we would tolerate or allow such tactics to be used in any other circumstance where the motivation is to deter someone from accessing our judicial process and courts. The work of cultivating more civility in how we practice law can sometimes require gentle nudging by those in leadership roles. A "comment" to a Rule is one of those ways for the Supreme Court to gently nudge each one of us to examine our own motives and practices and to invite us to respect the dignity and worth of each person.

I urge you to adopt the Comment to RPC 4.4 as proposed by the WSBA.

Sincerely,


Mary I. Yu
Judge