



Seattle City Attorney

Peter S. Holmes

March 3, 2020

Susan. L. Carlson
Clerk of the Supreme Court
Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Dear Ms. Carlson,

On behalf of the Seattle City Attorney's Office, I am writing to express our strong support for the proposed amendments to comment 4 of RPC 4.4, Respect for Rights of Third Person. The current comment prohibits a lawyer from using a person's immigration status to intimidate, coerce or obstruct that person from participating in a civil matter. This amendment would extend this prohibition to criminal matters, and with some exceptions, in assisting with civil immigration enforcement.

Like the proposed new General Rule 38, this amendment seeks to promote access to courthouses and instill trust in our judicial system. People should not feel intimidated or fearful to seek justice and access our local courthouses. All attorneys, whether representing clients in civil or criminal hearings, should be held to the same ethical standard and be prohibited from behavior that obstructs persons from participating in our judicial system. We are dismayed at the Washington State Coalition Against Domestic Violence report of over 200 civil arrests of immigrants at Washington State courthouses since January 2018. We are gravely concerned that some of these arrests may have been initiated by attorneys as a deplorable strategic tactic. This amendment clarifies that such an act is unethical.

We ask that you adopt the amendment to comment 4 of RCP 4.4 to make courthouses places that are accessible to all.

Very truly yours,

Peter S. Holmes
Seattle City Attorney

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Public comment - Comment 4 of RPC 4.4
Date: Monday, March 2, 2020 1:48:04 PM
Attachments: [image001.png](#)
[Comment 4 to RPC 4.4. Seattle CAO.pdf](#)

From: O'Connor-Kriss, Sara K [mailto:Sara.OConnor-Kriss@seattle.gov]
Sent: Monday, March 2, 2020 1:14 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Holmes, Peter <Peter.Holmes@seattle.gov>; Nolte, Dan R <Dan.Nolte@seattle.gov>; Schochet, John <John.Schochet@seattle.gov>; Landino, Gina T <Gina.Landino@seattle.gov>
Subject: Public comment - Comment 4 of RPC 4.4

Good Afternoon Ms. Carlson,

On behalf of the Seattle City Attorney's Office, attached please find our letter in support of the adoption of the proposed amendment to comment 4 of RPC 4.4.

Thank you,



Sara O'Connor-Kriss
Assistant City Attorney

Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104-7095
Phone: 206-615-0788
FAX: 206-684-8284
sara.oconnor-kriss@seattle.gov

I work remotely on Fridays.

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