



BRUCE C. HAMLIN  
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April 30, 2021

**VIA ELECTRONIC AND REGULAR MAIL**

Clerk of the Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929  
E-Mail: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

Re: Comment on amendments to RPC 1.4 published for comment in November 2020

Dear Clerk:

The Washington State Bar has proposed amendments to RPC 1.4, dealing with disclosure if a lawyer does not have minimum limits of professional liability insurance.

What follows is the language of the WSBA proposed comment.

“The minimum limits of lawyer professional liability insurance specified by paragraph (c)(4) include any deductible or self-insured retention that must be paid by the lawyer or the lawyer’s law firm for claim expenses and damages. Lawyer professional liability insurance, as defined in paragraph (c)(4), does not include an insurance policy with a deductible or self-insured retention that the lawyer knows or has reason to know cannot be paid by the lawyer or the firm if a loss occurs.”

The follow language reinforces that a deductible or self-insured retention will satisfy the minimum limits:

“The minimum limits of lawyer professional liability insurance specified by paragraph (c)(4) may include and will be satisfied by any deductible or self-insured retention that must be paid by the lawyer or the lawyer’s law firm for claim expenses and damages. Lawyer professional liability insurance, as defined in paragraph (c)(4), does not include an insurance policy with a deductible or self-insured retention that the lawyer knows or has reason to know cannot be paid by the lawyer or the firm if a loss occurs.”

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Very truly yours,

LANE POWELL PC

A handwritten signature in blue ink, appearing to read 'Bruce C. Hamlin', with a long horizontal flourish extending to the right.

Bruce C. Hamlin  
Associate General Counsel

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cc: Charles Huber  
Hugh D. Spitzer  
Doug Ende