

Linford, Tera

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Subject: FW: Court Rules Published for Comment Fee-sharing

Categories: Rule Comments

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Comments to Proposed Rules Changes:

Introduction: Court rules are established for the purpose of orderly processes in our system of justice. Our professional responsibilities were meant to be guides to expected behavior and were applied to EVERY attorney equally. A few RPCs needed to be enforced through disciplinary proceedings because of the need to protect clients from attorneys who do not place the legal needs of their clients above their own wishes. Errors in establishing or modifying the RPCs occur when viewing these rules through other optics.

The most troubling of all the proposed changes are those proposals involving RPC 1.5, 5.4, and 7.2. This endangers the independence of attorneys in manners unheard of in our profession. Speaking as a former hearing officer for the Bar, a former member of the Rules of Professional Responsibility committee, and a practicing attorney, ANY fee-sharing is a danger to our independence of practice. The loser is the client.

A fee sharing arrangement is asking for trouble. Our very foundation of practice is shaken. It leads to interference with legal decisions regarding the best representation for the client and moves the focus to the interest of a referring group. The amount of a fee is compromised and increased. Confidentiality will be breached. DO NOT APPROVE THIS.

This has been the goal of particular groups for decades. It is not new and it is self-serving for these groups. It does not serve the cause of justice. It does not ensure proper representation. It does not protect the public from an unscrupulous attorney.

Vicki Parker,
Attorney at Law #7194

