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April 21, 2022

Sent via Electronic Mail

Erin L. Lennon, Clerk
Washington State Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929
Email: supreme@courts.wa.gov

RE: Order Number 25700-A-1399: Proposed Amendments to the Comments of the Code of Judicial Conduct Rules 2.2 and 2.6

Dear Ms. Lennon:

Thank you for the opportunity to comment on the proposed amendments to the comments of Code of Judicial Conduct (CJC) Rules 2.2 and 2.6. We support the amendments to the comments of these rules. The proposals clarify what measures judges may make to ensure a pro se litigant's right to be heard while upholding their duty of fairness and impartiality. Revising the Washington Code of Judicial Conduct will assist judicial officers discern what accommodative actions are permissible under the Canon and promote consistent and fair application of "reasonable accommodation" principles statewide. Attorneys in our office often appear in matters where the opposing party is unrepresented. To the extent they can without violating their own obligations, our attorneys are asked to conduct themselves in a way that provides pro se litigants the opportunity to be heard, even where we disagree with that party's position on the facts, law or relief available. This can be very challenging for attorneys. Neutral assistance from the bench reduces the potential for conflict when pro se litigants look to opposing counsel for assistance or explanation. In turn, judicial assistance makes the process more fair and satisfactory for pro se litigants regardless of outcome.

Thank you for considering our comments.

Sincerely,

BOB FERGUSON
Attorney General

RWF/eg

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#); [Tracy, Mary](#)
Subject: FW: Proposed Rules Published for Comment
Date: Thursday, April 21, 2022 3:06:23 PM
Attachments: [No. 1 Code of Judicial Conduct 2.2 and 2.6 Right to Be Heard.pdf](#)
[No. 2 Code of Judicial Conduct 2.3 Bias Prejudice and Harassment.pdf](#)
[No. 3 GR 26 Mandatory Continuing Judicial Education.pdf](#)
[No. 4 RPC 8.4 Misconduct.pdf](#)
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[No. 8 GR 11 Purpose and Scope of Interpreter Commission.pdf](#)
[No. 9 Courts of Limited Jurisdiction Proposed Repeal of Criminal Rule.pdf](#)
[No. 10 APR 9 Licensed Legal Intern.pdf](#)

From: Ganga, Elaine L (ATG) [<mailto:elaine.ganga@atg.wa.gov>]
Sent: Thursday, April 21, 2022 2:21 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Mitchell, Kristen (ATG) <kristen.mitchell@atg.wa.gov>
Subject: Proposed Rules Published for Comment

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Ms. Lennon,

Attached are ten letters regarding the various proposed rules published for comment.

Thank you,

Elaine Ganga

Executive Assistant

Office of the Attorney General

Administration Division

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