

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: [Suspicious URL] Support for proposed Changes to RPC 1.8 – Conflict of Interest: Current Clients: Specific Rules  
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**From:** Yvonne Chin <yvonne@svlawcenter.org>  
**Sent:** Sunday, April 30, 2023 11:13 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** [Suspicious URL] Support for proposed Changes to RPC 1.8 – Conflict of Interest: Current Clients: Specific Rules

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The Sexual Violence Law Center (SVLC) is a nonprofit law firm that seeks to improve the legal response to survivors of sexual violence. Our trauma-informed, survivor-centered advocacy is based on race and gender equity principles. SVLC is the only legal aid program of its kind in Washington, providing holistic legal assistance and representation exclusively to victims of sexual violence, assault, abuse, harassment and stalking.

SVLC supports the amendment to RPC 1.8 to allow attorneys to pay limited court costs and expenses of litigation on behalf of indigent clients, and to provide modest gifts for living expenses to indigent clients in limited circumstances.

Our legal system aspires to be fair and just in application as well as access. However, as our state Supreme Court recognized in their [June 4, 2020](#) letter, the legal system is plagued by systemic inequality. “As lawyers and members of the bar, we must recognize the harms that are caused when meritorious claims go unaddressed due to systemic inequities or the lack of financial, personal, or systemic support.”

It is common knowledge that wealth increases access to justice. Private attorney representation requires retainers, typically in the thousands. If counsel is billing \$300/hour, which is on the lower end of fees, then a 5-minute phone call costs \$30. Someone making minimum wage in Washington state must work *two hours* to be able to afford that call. Having to depend on the charity of loved ones, resigning themselves to credit card debt, or succumbing to predatory lending to pay for their attorney’s time does not qualify as being able to afford the cost.

Furthermore, that is just the direct cost of representation. Clients also face costs related to transportation, childcare, missing work for court and meetings with counsel, filing and copying fees, buying clothing for court appearances, and many other “invisible” costs related to addressing legal issues. These costs present a substantial barrier in legal access for Washington’s most vulnerable populations.

Indigent persons in Washington are at a steep disadvantage because they cannot afford

private counsel. No fair-minded person believes that justice only belongs to the rich. If our legal system aspires to true equity, then we must address the systemic barriers created by poverty. RPC 1.8 is one step in the right direction. Attorneys who commit to representing indigent clients need more than just their license to make a difference – they must be allowed to take effective action to move the scales of justice toward the common good.

RPC 1.8 is carefully crafted to allow financial assistance to indigent clients while preserving the boundaries of our professional responsibilities. The amendment to RPC 1.8(e) and the supporting comments should be passed.

Sincerely,

Sexual Violence Law Center

Yvonne Chin (she/her) | Legal Director

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