



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Douglas J. Ende
Chief Disciplinary Counsel

direct line: (206) 733-5917
fax: (206) 727-8325

May 9, 2014

The Honorable Charles W. Johnson
Chair, Supreme Court Rules Committee
Supreme Court of the State of Washington
P.O. Box 40929
Olympia, WA 98504-0929

Re: Washington's Rules of Professional Conduct and I-502
Nevada Order Adopting Comment [1] to Nevada RPC 1.2

Dear Justice Johnson:

Thank you for inviting me to the informal meeting of the Rules Committee last Monday. I appreciate the Rules Committee's openness to hearing from interested stakeholders on this issue.

In thinking about the meeting, the questions asked, and the colloquy with the justices, I was motivated to develop a draft comment that in my view addresses many of the ideas and concerns that were discussed. I have enclosed that draft for your consideration.

Please bear in mind that I am addressing the Court in my role as Chief Disciplinary Counsel only; I am not authorized to speak for or take an official position on behalf of the Washington State Bar Association or its Board of Governors. I do not formally submit the draft as a suggested amendment under GR 9; rather, it is intended to promote further discussion and assist the Rules Committee in its deliberations about this important issue.

In addition, it has come to my attention that on May 7, 2014, the Supreme Court of the State of Nevada adopted, effective immediately, a new comment to Nevada's Rule of Professional Conduct 1.2, designed to address Nevada's constitutional and statutory amendments authorizing a regulatory system for medical marijuana dispensaries in that state. I have enclosed a copy of the Nevada Supreme Court's order.

Letter to Justice Johnson
May 9, 2014
Page 2 of 2

Please let me know if I can provide the Court with any additional information.

Sincerely,



Douglas J. Ende
Chief Disciplinary Counsel

Enclosures

cc: The Honorable Barbara A. Madsen, Chief Justice, Washington Supreme Court
Nanette B. Sullins, Administrative Office of the Courts
Patrick A. Palace, President, Washington State Bar Association
Paula C. Littlewood, Executive Director, Washington State Bar Association
Mark J. Fucile, Chair, WSBA Committee on Professional Ethics
Anne M. Daly, President, King County Bar Association
Andrew J. Prazuch, Executive Director, King County Bar Association ✓

