Ladies and Gentlemen:

I am a member of the ABA and it has just come to my attention that the Standing Committee on Ethics and Professional Responsibility has proposed a change to Model Rule 8.4(g) and its comments and that today is the deadline for public comment on this change. I must say that I am distressed not to have been made aware of this with plenty of time to offer more thoughtful comment. I read the ABA Journal regularly and have not seen any notice that this change was being contemplated or that public comment was solicited. Quite frankly, if there has been, in fact, any such notice, it was not made obvious, which, given the importance of such a rule change, is no small oversight.

Learning this on the fly, with no time to formulate a deeply reasoned answer, I turn to the Christian Legal Society’s comment letter, dated March 10, 2016, a copy of which has come into my hands today, along with the ABA’s Notice of Public Hearing. I have read the CLS letter and agree with its analysis and conclusions. Accordingly, I urge the ABA not to adopt the proposed rule changes but, if it is adopted, to incorporate the CLS-proposed revisions.

Thank you.

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