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August 23, 2011

Supreme Court Clerk
P. O. Box 30052
Lansing, MI 48909

Re: ADM File No. 2011-05

To the Michigan Supreme Court:

I am General Counsel with Varnum, Riddering, Schmidt & Howlett LLP (Varnum) and write to you on behalf of Varnum to endorse the comments submitted by John W. Allen. Mr. Allen has thoughtfully presented the concerns of many practitioners regarding the elevation of aspirational statements in the Comments to the text of several Rules of Professional Conduct. While in the past I and others have suggested that certain statements in the Comments may be appropriate for elevation to a Rule, many of the comments selected in the proposed rule changes do not provide clear guidance to lawyers but, rather, state general concepts.

We share Mr. Allen's concerns regarding the proposed change to Rule 1.2. As Mr. Allen pointed out, it is unclear what the Court considers to be "technical and legal tactical issues" for purposes of the proposed rule change.

We remain particularly concerned about any rule changes that would attempt to create duties to non-clients.

We request that you carefully consider the comments presented by Mr. Allen.

Very truly yours,

VARNUM

Teresa S. Decker

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