

IN THE SUPREME COURT OF THE STATE OF DELAWARE

**ORDER AMENDING THE §  
COMMENT TO RULE 8.5 OF §  
THE DELAWARE LAWYERS' §  
RULES OF PROFESSIONAL §  
CONDUCT §**

Before **STEELE**, Chief Justice, **HOLLAND**, **BERGER**, **JACOBS**, and **RIDGELY**, Justices, constituting the Court *en Banc*.

**ORDER**

This 26th day of August 2013, it appears to the Court that it is desirable to amend the Comment to Rule 8.5 of the Delaware Lawyers' Rules of Professional Conduct.

NOW, THEREFORE, IT IS ORDERED that effective immediately, the Comment to Rule 8.5 of the Delaware Lawyers' Rules of Professional Conduct is amended by adding the following sentence at the end:

With respect to conflicts of interest, in determining a lawyer's reasonable belief under paragraph (b)(2), a written agreement between the lawyer and client that reasonably specifies a particular jurisdiction is within the scope of that paragraph may be considered if the agreement was obtained with the client's informed consent confirmed in the agreement.

The Clerk of this Court is directed to transmit forthwith a certified copy of this Order and attachment to the clerk of each trial court in each county.

BY THE COURT:

/s/ Randy J. Holland  
Justice