

Cheryl Kringle
11120 NE 2nd St.
Bellevue, Washington 98004-8332

Kringlecd@law.aero

Justices of the Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, Washington 98504-0929

Re: Proposed APR 28 – Legal Technicians Rule

Dear Honorable Justices,

As a member of the Practice of Law Board, I support the Legal Technician proposal. I was appointed to the Board while working for the Attorney General's Consumer Protection Division. My caseload exposed me to consumer harm caused by the unauthorized practice of law. As a result, I worked on the Attorney General's successful effort to pass RCW 19.295, the "trust mill" legislation meant to protect consumers from improper estate planning advice peddled by non-lawyers who use it as a marketing tool.

The Legal Technician proposal was already in development when I joined the Board. I was skeptical of the proposal because I fully agree with Legal Technician rule opponents who believe that Washington litigants lacking attorney representation are exposed to unnecessary legal risks. However, I now believe the Legal Technician rule will benefit consumers. Legal Technicians may only assist *pro se* litigants, who under the current system regularly face litigation without *any* trained or qualified legal advice. If the Legal Technician rule is enacted, some *pro so* litigants could get assistance from educated, trained, tested and licensed Legal Technicians knowledgeable about local court rules, proper legal process and completion of documents. For the average *pro se* litigant, the Legal Technician's services would therefore greatly *decrease* the inherent risks of navigating our complex system without an attorney.

Of course, in an ideal world all litigants would have attorneys. This is the primary argument of Legal Technician rule opponents who urge you to consider other alternatives. While their suggestions are no doubt made in good faith, I have seen none that are new, and I doubt if any are viable under the current economic and political climate. The GAAP program, for example, is already underway but has been unable to significantly increase access to civil legal services. Efforts to require mandatory pro bono hours for attorneys and fees in lieu of such hours have failed. In spite of many wonderful volunteers, total voluntary pro bono time has always been insufficient to resolve the problem. Other non-profit programs struggle to maintain funding, and there

is no indication new funding is on the horizon. The Legal Technician rule, on the other hand, is a new, market-based approach with potential to overcome roadblocks facing these other efforts.

The desire for perfection can be the enemy of the good. Each day we continue this debate without acting is another day many low income citizens confront the legal system without any qualified help. In desperation, they may turn to unauthorized, untrained and unregulated practitioners who offer low cost assistance but often negligently, or even intentionally, harm their "clients" with impunity. In my estimation, the risk of implementing the Legal Technician rule is far outweighed by its potential benefits, and in any case, preferable to the injustice of further delay and maintenance of the status quo.

Sincerely,



Cheryl D. Kringle
WSBA #32443