

Faulk, Camilla

From: Michael Pratum [pratumlaw@comcast.net]
Sent: Wednesday, December 17, 2008 4:34 PM
To: Faulk, Camilla
Subject: Proposed rule regarding legal technicians performing legal services

Hello:

I am a licensed attorney. I am providing a short comment on the above-referenced rule proposal. I am familiar with it from reading the Bar News. The purpose from what I understand is to try to solve the ever increasing problem of citizens who need legal services but cannot afford to pay an attorney. Since we already have publicly funded lawyers for criminal defense, the focus has been on family law services as the next big demand area that needs low or no fee legal services. I do not feel that the proposed rule will solve that problem. Why don't you focus on actually solving the problem instead of putting a band aid on it?

Many lawyers in this country make way more money than the main stream of attorneys. Most of them (at the top anyway) are personal injury attorneys or class action lawyers. They cannot provide pro bono services in the area of need. So why not have them pay money instead? Yes, others would pay too, according to how much they make in their law practice. Or, they can volunteer services or agree to provide low fee services to a certain number of clients a year, screening them for income and maybe using a sliding scale as is done with many low income service providers. I don't claim to have the ultimate answer, but this is my suggestion as a direction to look for actually addressing the problem long term.

I think the other big problem with legal technicians doing legal work in family law is that family law, unlike other areas of law, has a lot at stake in many of the cases, such as where a child will live. This type of work requires expertise and a fund of knowledge that a legal technician will not possess. Do you want to put the public at greater risk of harm? I hope not. Do not adopt this rule and please go back to the table and find a better solution that involves more lawyers contributing time or money to provide year round reduced fee legal services for people in need.

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