

Faulk, Camilla

From: Ann Mottet [anncmottet@msn.com]
Sent: Wednesday, April 29, 2009 11:18 AM
To: Faulk, Camilla
Subject: Please reject APR 28 proposals by POLB

April 29, 2009

The Honorable Charles W. Johnson
Washington State Supreme Court
Temple of Justice
P. O. Box 40929
Olympia, WA 98504-0929

Re: Proposed Rule APR 28, Legal Technicians

Dear Justice Johnson:

I am a solo Family Law attorney practicing in Longview, Washington for the past 25 years. I am writing to request that the Supreme Court reject the APR 28 proposals by the Practice of Law Board (POLB) for implementation of a legal technician program. I believe this rule will not help to address any of the issues associated with access to justice and will actually harm litigants. In my 25 years as a Family Lawyer here in Cowlitz County, I have not kept records of how many times I have been hired to attempt to undo damage done by litigants who hired non-lawyers (experienced paralegals, even) to help them through the court system. I have seen many such cases. It has become very clear to me over the years that the in-depth training and education and skills of an experienced Family Lawyer is necessary and that there is simply no short cut around that fact.

Family law is one the most challenging areas of legal practice. It requires skill in litigation, in depth knowledge of the law and the handling of complex emotional issues that necessarily accompany litigation regarding ones assets, debts, children and relationships. Family law cases often involve issues regarding real estate, taxation, criminal law, bankruptcy, corporate or business matters, and so forth. Providing inaccurate or inadequate legal advice or services in family law cases can - and will - lead to long-term, disastrous results for the families of our state. I have already witnessed this - and training as a technician to handle forms will NOT address that issue.

For those who claim that lawyers oppose this proposed rule only to keep from losing income from these potential clients, they should be aware that the cost to the clients to correct most of these types of errors will far exceed the cost of doing them right the first time with the assistance of an experienced attorney. In many cases, there is no way to correct such errors. I have witnessed this time and again, first hand.

Please reject the APR 28 proposals by the Practice of Law Board (POLB) for implementation of a legal technician program. It will not solve problems it purports to address and will create an even larger set of problems.

Very truly yours,

Ann C Mottet
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