

Faulk, Camilla

From: Lowell K Halverson [lowell@halverson-law.com]
Sent: Wednesday, March 04, 2009 9:13 PM
To: Faulk, Camilla
Subject: Comment in support of Rule Change: Legal Technician Rule

I support the proposed Rule Change. It is long overdue. Here is some anecdotal evidence in support

The King County Bar Association endorsed a rule in 1972, permitting non-lawyers to present agreed ex parte Orders for signature and entry. Previously, only lawyers and postal workers were allowed that privilege. That rule change has saved the consumers of legal services thousands of dollars over the last 37 years. King County lawyers readily embraced the idea, once they appreciated the savings to their clients and the resulting professional time they could devote to their clients' more pressing needs.

When I first presented this proposed rule to the SCKBA trustees, it was met with quite a bit of skepticism. I heard much about the unauthorized practice of law, but when they realized the folks at the post office were handling these agreed orders, stipulations, etc, the tenor changed.

The age of Self Help was dawning back in the early 70's. People like Ed Sherman were starting up Self Counsel Press in California. My law partner Sidney J. Strong had just been contacted by a Canadian publisher to write a short book on Landlord Tenant Law for Seattle tenants. I was working on a curriculum for a brand new ABA sponsored program to be taught at Edmonds Community College leading to a certification for "paralegals". Rule 9 had proven successful, especially for the legal services agencies that catered to legal transactions for the very poor.

We all operated within the doubting shadow of the organized bar. Most lawyers were too polite to complain about what we were doing to the traditional delivery of legal services. There were not many lawyers then and plenty of work to go around.

I expect the Supreme Court is going to take some heat from the Unauthorized Practice of Law coterie for this rule change proposal.

When I filed the IOLTA rule proposal in the 1980s I distributed some copies to attendees at the SCKBA Christmas party that evening. Some attorneys thought I should be wearing a mask. Not the Lone Ranger kind, though that is about how I felt that evening. Justice Utter and others took the lead on making that Rule happen. It took a great deal of courage and determination for that Court to make IOLTA happen. That is what makes each of you "Supremes". I feel certain you will do the right thing with this Legal Technician Rule, too. Be steadfast..

Respectfully,

Lowell K Halverson
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