

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Proposed Rule APR 26
Date: Wednesday, April 15, 2020 10:24:43 AM

From: Charley Bates [mailto:cbates.sers@mindspring.com]
Sent: Wednesday, April 15, 2020 10:24 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed Rule APR 26

I recommend that Proposed Rule APR 26 be withdrawn.

The issue of insurance has been thoroughly discussed and researched by the Washington State Bar Association (WSBA) and various permanent and temporary entities within the WSBA over the past several years. Such proposals have been shown to be a "solution looking for a problem". No one has presented serious documentation that persuades that there is an actual issue that exists which APR 26 would address. There is merely the insinuation that there is a need, but no actual listing of cases in which the lack of malpractice insurance by anyone deprived a wronged plaintiff of compensation.

The overwhelming majority (all but a couple) state bar associations in the country do not require mandatory malpractice insurance.

The WSBA Board of Governors, who were initially heavily biased in favor of mandating malpractice insurance, after all the research and arguments and draft proposals, ultimately voted against mandating malpractice insurance.

Proposals for malpractice insurance do not seem to die their deserved natural death, or when they appear dead they are suddenly resurrected due to continuous and unrelenting pressure and lobbying from the insurance industry itself.

Respectfully submitted,

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