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September 28, 2020

Justices of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Re: Mandatory Malpractice Insurance

Dear Justices:

Please review my comments on the revived effort to impose malpractice insurance on private practice attorneys.

1. As a solo practitioner serving a small community as its only practicing attorney for over 39 years I have obtained such insurance on two occasions in the 1980's. In both cases the first year premium was high but affordable. The 2nd and subsequent years premiums were prohibitively high (the nature of claims-made policies, I was told) hence I had to eventually cancel them. No claims were ever filed against me.

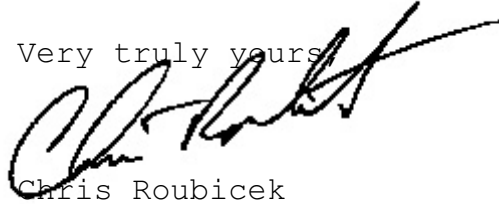
2. To my knowledge there have been two bar complaints against me (in the 1980's and early 90's), both dismissed. One before I was notified of its existence, the other after meeting with a bar investigator.

3. It is not my intention to retire (I am approaching age 69) but the prospect of having to obtain and maintain such insurance could change my mind, leaving Castle Rock without a law practice. I suspect there are other attorneys in communities in Washington similarly situated.

4. Please ask yourselves who is pushing this proposal despite rejection by Bar membership and its leadership. I am an avid follower of current events and I have seen no outcry from the public that attorneys are escaping malpractice liability. If there is a hint that this is coming from the insurance industry or its surrogates then you are being asked to assist it at the expense of Washington's private practice attorneys and their clients.

5. The Bar Association Board of Governors recent recommendation to have adequately insured attorneys provide such information to the clients and obtain their consent goes to far. I have no problem providing such information (it is already disclosed on the WSBA website) but having to explain and obtain a client's consent interferes with the attorney-client relationship) especially given that the average fee of my clients is less than \$1,000.00.

Very truly yours

A handwritten signature in black ink, appearing to read "Chris Roubicek", written over the typed name.

Chris Roubicek

CR/dm

cc: Mr. Ken Pedersen
Attorney at Law
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From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
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Subject: FW: Mandatory Malpractice Insurance
Date: Monday, September 28, 2020 10:31:02 AM
Attachments: [Chris Roubicek.vcf](#)
[Chris Roubicek2.vcf](#)
[Mandatory Malpractice Insurance letter 2020.pdf](#)

From: Chris Roubicek [mailto:crlaw@pacifier.com]
Sent: Monday, September 28, 2020 10:20 AM
To: supreme@courts.wa.gov.
Cc: ken@pderesenadr.com
Subject: Mandatory Malpractice Insurance

Please see the attached.

Chris Roubicek

