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Subject: FW: Mandatory Malpractice
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From: Hayley Albertson [mailto:albertson@albertsonlawllp.com]
Sent: Monday, September 28, 2020 9:31 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Mandatory Malpractice

I have a solo law firm in Kennewick, Washington. I keep my overhead very low so that I can provide legal services at a reduced rate. I do this to ensure there is equal access to the legal system and people aren't left out of the process because of the cost. I work from home and maintain a mailing address and reservable office space. I have a business phone, internet, and the lowest cost billing and conflict check software. These expenses mean I can work at a low rate or on contingency and still support my family.

Mandatory malpractice insurance may very well put me out of business. It creates a situation where big firms dominate the legal landscape and regular people can't afford to seek justice or protect themselves in our system. I went to law school to help people and promote justice and equality under the law. The way I do this is in jeopardy if I can't afford to pay my business expenses and pay myself. I believe there are many small and solo firms in Washington that are in the same position.

The WSBA maintains a list of lawyers that are covered by insurance and those that aren't. This information is not private and can be found with a simple google search. I believe the public should be allowed to make their own value judgments. They can pay for more security and retain an attorney with insurance or if they can't afford it or don't believe it necessary they can pay less for an attorney with less overhead. Let the people in the market decide the level of risk and cost they can bear.

There is a compromise that could keep small and solo firms in business and keep the public informed. Require disclosure of malpractice insurance coverage on websites and in advertisements. Beyond this you are controlling the market it a way that promotes justice solely for those with the means to buy it.

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