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Subject: FW: Comment about proposed change to APR 26
Date: Monday, August 17, 2020 8:39:58 AM

From: Helen N [mailto:forestresources@hotmail.com]
Sent: Friday, August 14, 2020 9:46 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Suspicious URL: Comment about proposed change to APR 26

Justices to the Supreme Court,

I wish to make my opinion known about the "once again" threat to adopt mandatory malpractice insurance (of lawyers). It is frankly a concept deserving to finally be laid to rest in the negative.

This is about the practice of law, and as a profession (or dare say industry), a high percentage of individual attorneys or small to medium law firms are in the trenches to bring access or greater access to legal services in the most competent means possible. There are very few who would relish doing something wrong to bring about the grounds for a malpractice claim. In those cases where there is / are incidents of misconduct, it is as much a duty of the profession itself to weed out those who violate the rules of professional conduct - to the letter and spirit of the rules or of the law sworn to uphold. The U.S. Supreme Court in its recent decision in *McGirt* referred to these things as "mischief." Judges are the officers of the court, and all who work within the legal profession are actually their agents. We must not be afraid to address the relative few who make it harder for the rest of us. Those firms that care more about billable hours rather than having the time to truly represent a client, or prefer to see the income potential over the public service aspect represented in this (once) more noble profession hurt us all. I personally have had my eyes opened.

Yet, it is true that less than 10% of the population can actually afford an attorney. There is already a gross inadequate access to justice, and more specifically to legal redress and remedy. Attorneys have high student loan debt, and still have to ilk out a living while trying to make the price of services affordable. I think there is a "right" to have legal representation or assistance even in civil matters. This right is far more important than requiring malpractice insurance when the checks and balances are within - and have always been within our own control. Let us not punish everyone and certainly, don't punish the public. Amending APR 26 in this fashion after the majority of respondents in 2019 said "no" would represent a form of punishment to the very public we are all obligated to protect. It will likely reduce access to attorneys and reduce the number of attorneys in practice (impacting common law right to earn a living as well).

Thank you. Bar number upon request.

Helen Nowlin, Attorney

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If you can't afford an attorney then here is a self-help option: www.howtowinincourt.com?refercode=NH0004. I sometimes refer to it!

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