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**Date:** Monday, September 28, 2020 2:44:21 PM

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**From:** James Laukkonen [mailto:james@laukkonenlaw.com]  
**Sent:** Monday, September 28, 2020 2:36 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** APR 26 - Insurance Disclosure

Dear Honorable Justices of the Washington Supreme Court:

Please add my voice to the many voices opposed to the proposed mandatory malpractice insurance or mandatory disclosure of whether I have insurance. I do carry malpractice insurance, but that is nobody's business but my own.

I recognize the value in having the insurance, but the cost is staggering. Add that cost to my mandatory bar dues to an organization that seems to represent the big law firms at the expense of the little guy, and the cumulative effect is an ongoing insult. As ER 411 makes clear, evidence of insurance is not admissible with regard to whether someone acted negligently. It is irrelevant, and may lead to needless litigation when parties believe they are going after the insurance company's deep pockets. Mandatory malpractice insurance may even be unconstitutional under *National Federation of Independent Business v. Sebelius*, 567 U.S. 519 (2012).

Like many other businesses in these Covid times, my income and my entire practice have had a dramatic decrease. This proposal is just one more way to shove small practices like mine into the wastebin.

James Laukkonen, WSBA 40558  
Laukkonen Law, PLLC  
1800 Cooper Point Rd SW #12  
Olympia, WA 98502  
360-999-8359