

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: mandatory malpractice insurance
Date: Monday, March 16, 2020 8:10:43 AM

From: Paul Majkut [mailto:paulsmajkut@gmail.com]
Sent: Sunday, March 15, 2020 9:51 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>; Steve Cook <scook@columbialandtrust.org>; Nancy Duhnkrack <nduhnkrack@gmail.com>; Kelley Beamer <kelley@oregonlandtrusts.org>
Subject: Fwd: mandatory malpractice insurance

----- Forwarded message -----
From: Paul Majkut <paulsmajkut@gmail.com>
Date: Wed, Apr 3, 2019 at 12:43 AM
Subject: mandatory malpractice insurance
To: <insurancetaskforce@wsba.org>

Supreme Court,

I am concerned that your draft rule omits a class of pro bono attorneys who provide advice to environmental non profits, such as the Coalition of Oregon Land Trusts and its Washington member the Columbia Land Trust, that provide malpractice insurance for those attorneys.

Exception (5) is limited to qualified legal services providers:

"(5) Volunteer pro bono service for a qualified legal services provider as defined in APR 1(e)(8) that provides insurance to its volunteers. APR1(e)(8) defines "Qualified legal services provider" means a not for profit legal services organization in Washington State whose primary purpose is to provide legal services to low income clients."

Please amend your exception to apply to provision of volunteer pro bono legal services to environmental non profits that provide insurance to its volunteers. On the other hand, if providing advice to environmental nonprofits is not considered "the private practice of law," that would be an acceptable outcome. I have attached your draft rule and my prior correspondence on this issue. Thank you Paul Majkut WSBA #6523 OSBar #872900.

[malpractice insurance 4-3-19.docx](#)
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