

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Tracy, Mary](#)  
**Cc:** [Linford, Tera](#)  
**Subject:** FW: No Mandatory Malpractice Insurance  
**Date:** Monday, August 10, 2020 8:05:31 AM

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**From:** Tom Dreiling [mailto:tom@tdlaw.net]  
**Sent:** Saturday, August 8, 2020 8:34 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** No Mandatory Malpractice Insurance

Dear Supreme Court,

I hope that the Court does not mandate lawyer malpractice insurance.

I have practiced law in Washington continuously since 1972 and have never been sued for malpractice. I am currently not insured. I have not taken a new case since 2015. My current practice consists of simply waiting to receive and then disburse the remaining settlement distributions from the Dow Corning Settlement Facility to clients I have been representing since 1992. When the funds are finally paid out I will finally be able to close my practice. The average distribution will be about \$1500.

When I was the Chair of the WSBA Fund for Client Protection I felt that the Fund could easily and inexpensively be expanded to cover the few client claims that were against non-insured attorneys for malpractice. Of course, the Fund does not currently cover any malpractice claims. Please consider this approach rather than mandating malpractice insurance.

I accept that my license has been a privilege. Representing clients for nearly 50 years has been a wonderful experience. But I cannot think of any profession that mandates licensees carry professional insurance.

I occasionally sit as an arbitrator in securities disputes for FINRA. That model resolves client complaints against brokers and financial advisors very efficiently and without mandating the professionals carry malpractice insurance.

I suspect that the actual number and size of the claims for malpractice against non-insured attorneys just does not justify imposing malpractice insurance premiums on nearly every lawyer in Washington.

Thank you.

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