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Subject: FW: Comment RE CR 71 proposed rule change
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From: Edgar Hall [mailto:edgar@wadebtlaw.com]
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I can see the purpose of CR 71 in intention is to reduce judicial inconvenience and to not have formerly represented individuals be stuck pro se.

As many others have pointed out, the 90 day rule will have the effect of having attorneys who are unpaid or uncertain of being paid to jump out far earlier.

It also could lead to a more ala carte model/ambush model where entire cases are done ghost written style and facilitated by the pro se. This would worsen judicial efficiency as instead of efficient filings by attorneys familiar with the system, you will have pro se litigants guessing how to do it and taking up both court and clerk time and risking their cases on procedural grounds. It will also drive up the litigants costs as they have to ask for explanation on how to file, how to argue, how to do everything.

It will lead more to limited notices of appearance where attorneys pop in and out of cases just for a hearing or just for the trial while playing Cyrano De Berjerac. The court and opposing may truly never know who they are dealing with.

Many if not most cases settle on the eve of trial. By creating a system incentivizing early withdrawal, these cases that might otherwise settle have an increased risk of proceeding to trial.

The only people not disadvantaged by this system are financially well off litigants who can pay large bills in full. If the court is concerned about equitable outcomes, this proposed rule change does not improve them.

-Edgar Hall

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