

prepaid legal insurance company, we don't have any mandatory dues that we can use to pay the start-up costs. So this gives the Bar Association's company an unfair competitive advantage. I think it's important to indicate that it is the State Supreme Court that is ordering, by viewing the Bar Association as an extension of their entity, that it's ordering people to pay these dues, and this insurance company would have the sanction of the State Supreme Court in collecting this money and using it to compete against private businesses. Now I think the use of mandatory dues to support a private venture is beneath the dignity of the Bar, and I think certainly using the power of our State Supreme Court to pour money into a commercial venture is beneath the dignity of that court. So I have set up this amendment that says, if the Bar Association wants to get into competition with private business, if it wants to get into the insurance business, fine, but then it cannot require people to be members and it cannot require people to pay dues. The analogy I use is, suppose Blue Cross-Blue Shield was able to require doctors to pay into Blue Cross-Blue Shield to be a practicing physician, essentially that's what the Bar Association would be able to do without my amendment. It would be able to get money from all attorneys. It would use that money to set up an insurance company, and then it would be supposedly policing the profession, including the relationship of the profession with prepaid legal insurance. Now I must caution you about this amendment, that there is a threat of unconstitutionality. When I visited with Larry Ruth, who represents the Bar Association, I suppose in representing the Bar Association he in some way is representing the Supreme Court, because somehow they seem to be tied together somehow...anyway Larry Ruth indicated that the Court has held that the Legislature has no right to rule on how the Bar Association uses its money. Larry Ruth says that we have no authority whatsoever to interfere with the Supreme Court, and if the Supreme Court says that it's okay to take money from all the attorneys and pour them into a private company, there is nothing we can do to stop them. I told Larry Ruth I would bring out the point that in his opinion any sort of state interference with the use of Bar dues, whether it's taking that money for private ventures, or whatever, would be ruled unconstitutional. Now, I think, in fact, this Legislature should make a statement as to whether or not people should be forced to pay into a private insurance company, in fact, you may have attorneys paying into the Bar Association yet wishing to form their own nonprofit or private prepaid legal insurance company, and they have to support their competitor. I think