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Abba David Poliakoff

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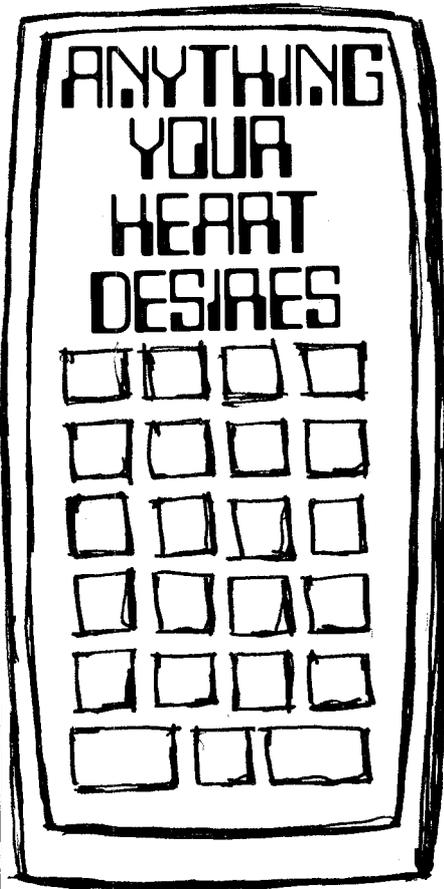
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A Rebuttal to Cries for Computerized, "Do-it- Yourself" Legal Services

by Abba David Poliakoff



New changes have revolutionized professions in the United States. First among these is the medical profession. Doctors have long priced themselves out of the market. Patients are tired of paying exorbitant prices for medical advice, and cries for change are finally being heeded. The problem is that many people are now refusing to get sick because of the high cost. It has reached such proportions that some people have even refused to die — thus causing serious problems of overpopulation.

One form of change is computerized medicine. People with broken limbs complain of "tailor-made" bone-setting. Today, they can go to the local drugstore, stick their hand, foot, etc., in the computer, and the bone is set automatically — the same way for all people. Total cost-\$5.00. This procedure eliminates the need for x-rays, case histories, special costs to fit the arm, or even proper setting. Take a case in point:

Tom Poor, an eighty-eight year-old retired man, was carrying the garbage out for his wife. Suddenly, a sharp, searing pain ripped through his back and left him prostrate on the side-walk. Six hours later, after managing to crawl to his corner drugstore four blocks away (and getting the exact change for the computer), he was punching his problem out on the Medicomp keyboard. The necessary remedial action instantaneously appeared on the ticker-tape:

STEP I: Squat down on the floor

STEP II: Stretch your arms
crosswise behind your
neck.

STEP III: Place your head between
your legs.

STEP IV: Kiss your butt good-bye.

Psychology is another field that has come under heavy fire. Again, people with emotional problems don't want "tailor-made" answers. As with the medical profession, computers have replaced high-priced psychologists for the simple neurosis or psychosis. Now, all that is necessary is for the person to tell the computer all the relevant facts and the standardized answers are immediately regurgitated. Additionally, for more complex matters, para-professionals are used. This group includes cab drivers, barbers, and the "yenta" next door. Be-

cause of their knowledge of people, they are invaluable to the psychologist. However, the greatest stride has been made with the advent of the Psychocomp, which, for an extra \$.50, even provides a bench for the disturbed person to sit on.

These are but two of the changes which have revolutionized and modernized professions and life generally. Case in point:

Harry Harried is a forty-two year-old shoe clerk with marital problems. Both his physical and mental health deteriorated as a result of his wife's unreasonable refusal to warm his bottle for him after she caught him in the act of adultery. After the Medicomp prescribed two aspirins for the enduring pain in his chest, it sent him to the Psychocomp in the corner bar, which advised him to divorce his wife. Like a good patient, Harry went forthwith to the Legacom, which accomplished this end, although it unfortunately left all his worldly possessions for her in the property settlement. Harry then grabbed his fourteen year-old lover and rushed to the Religio-comp, which performed a marriage ceremony, complete with a standardized sermon. Total cost — \$25.00. (The extra \$.50 was wasted on the para-professional cab-driver, who stupidly advised him to warm his own bottle.) It worked so well, that when Harry killed himself two weeks later with scorching hot milk after a massive heart attack, his new wife put him in a Funecom. A microphone in the coffin played a standardized eulogy as the mechanical crane dropped him in.

The "do-it-yourself" professional system works even better — it saves computer costs. Now, the over-burdened consumer can prescribe his own medicines with the aid of a simple Home Medical Aid pamphlet. A person stricken with emotional disturbances can likewise now pick up a "do-it-yourself" self-analysis guide at the nearest sanatorium, and diagnose his own problem. By following a series of steps, he can also cure himself in seven days with only ten minutes a day. This pamphlet is called "How to Cure Mental Illness in Seven Easy Steps". All in all, the "do-it-yourself" program has worked out quite well. Only one minor difficulty has been encountered thus far in this ever-growing trend

of do-it-yourself professional services, and that is in getting the deceased to pronounce his own eulogy.

Extreme? Cutting? Sarcastic? Absurd? Yes. Perhaps. Perhaps all. But I am just a little man with a weak voice, and unless my words speak loudly enough, my voice won't carry. "A soft answer turneth away wrath," but only a loud protest can be heard over the roar of a lost mob taking the wrong turn at the crossroads of reform. Therefore, excuse the sharpness of my invectives, and lend an ear for one brief moment, for I come to bury Caesar, not to praise him.

The legal profession has come under fire concerning legal fees and public service. (Legal Ethics is a topic unto itself, and no attempt will be made to discuss that problem here.) Concededly, there are many aspects which require, at the least, remedy, or even complete reformation. I do not profess to know all the answers to the problems facing us in this area, but I do think it possible to point out some major fallacies in some trends of thought.

Basic to any discussion of the legal profession is the realization that it is, after all, a *profession*. This word is defined in Webster's *Dictionary* as "a calling requiring specialized knowledge and often long and intensive academic preparation". Consequently, it cannot be degraded to lowly depths, or demoted to "just another job," especially by its own members. It is inseparable from the class of other callings similarly classified such as medicine, psychology, theology, etc. In truth, they are all sciences. It follows, then, that what is applicable to one of these callings, must be more or less generally applicable to all, or most "professions," unless we demote that calling from that class. If we are to permit advertising, or, if we remove all restrictions on fee setting, we remove that calling from the respected pedestal of "professionalism" in which self-discipline is imposed, and convert it to a mere "business." Furthermore, there can be no sound reason for distinguishing among the various professions in this respect. If the Bar has thus violated anti-trust laws, so has the A.M.A., or even the society of orthodontists. It is all *one standard* that

we must necessarily speak of. If lawyers may advertise specials, we ought to be able to clip coupons for one half-priced hour with the psychologist, or 30% off on in-grown toe nails at the podiatrist's. On the other hand, if lawyers do not consider themselves part of a "profession", then, by all means, lift every restriction and rigid requirement there is on the field, and open it up.

Yet, the deeper the absurdity goes, the more fervently the shallow "free-thinker" nods a vacuous cranium. The theme is now "do-it-yourself" legal services. As revealed by the opening parody, the concept is utterly devoid of any rational, realistic thinking. Can one really expect a layman to recognize all, or even some, potential legal problems in even the simplest matters? To answer this affirmatively negates any necessity for law school or a bar exam. Moreover, each man is charged with knowledge of the law. Will that be an adequate excuse when he gets himself in hot water through a "do-it-yourself"?

Or take consumer courts. What will be the verdict when the merchant-defendant says, "But I relied on the U.C.C."? Taken a step further, when the consumer sues Korvette's for a faulty camera, who will answer the suit, — the President? The Chairman of the Board? The salesgirl? Or perhaps, will one person have to be designated — a lawyer perhaps? And when two individuals are litigants, to whom do you think the defendant will pay a friendly visit the night before the trial?

There are only some of the problems raised by these "idealistic" ideas. The "do-it-yourself" or computer service is definitely not the answer. Neither is a debasement of the legal profession for the sole reason that "people need it." The neurosurgeon is "needed" as much, or even more. Yet, I am not wholly pessimistic. Legal aid clinics for those in need, or for small claims, are a step in the right direction. These services are likewise available in the other professions, and do not discriminate or debase in any manner. They are definitely an asset. Legal insurance is another plan which has great merit. These two plans deserve much thought and much more action.

Yet another worthy innovation would allow a lawyer to identify his specialty, much the same as doctors. A card bearing the name and the field — "Tax Law," "Corporate Law" or even "General Practice," would go a long way toward allowing a person to select the appropriate attorney, without violating the dignity of the profession.

Progress along these avenues will do much to cover the shortcomings of *all* professions. But it is imperative that we bear in mind that all professions are in the same boat. The \$5,000 medical bill, the \$40 per hour psychologist, the \$800 dental bill, and so on. It is wrong, unfair, and myopic to hack away at one profession. They must all serve the public need in much the same manner; the end for which we strive can best be achieved, indeed, can only be secured, by coming to grips with the whole problem and meeting it head-on. Benefits of one professional system may be extended to another, and the failings of all can be dealt with equally.

In parting, allow me just one last thought. Knowledge should be respected; misuse of knowledge individually condemned. Therefore, in bringing the professions closer to the people, let us not yank too hard, lest we break every vestige of respect for higher learning. Indeed, there are many knowledgeable and dedicated professionals who richly deserve the honor and consideration that only we, the public, can give them.

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