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**CLERK OF COURT OF APPEALS
OF WISCONSIN**

September 10, 2010

A. John Voelker
Acting Clerk of the Supreme Court
P. O. Box 1688
Madison, Wisconsin 53701-1688

PAUL GAGLIARDI
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JANE E. GARROTT
EXECUTIVE DIRECTOR

RE: Rule Petition 10-03; Hourly rate of Court-Appointed Counsel

Dear Mr. Voelker:

The Wisconsin Association for Justice (WAJ) adds its support of Rule Petition 10-03. The petition would amend Supreme Court Rule (SCR) 81.02, changing the hourly rate of compensation for court-appointed lawyers to \$80 and add provisions indexing that rate to the Consumer Price Index. It also specifies that the payment of an hourly rate less than this rate for legal services provided pursuant to appointment by the State Public Defender under Wis. Stat. § 977.08 would be unreasonable.

The petition outlines the great need for this change. The current rule sets compensation for court-appointed lawyers at \$70 per hour. However, attorneys appointed by the State Public Defender under Wis. Stat. § 977.08 receive \$40 per hour in compensation. That rate is inadequate to ensure proper representation of indigent persons accused of crimes.

WAJ believes a strong justice system must afford indigent persons legal representation that is paid adequately. Currently that is not the case. Therefore, WAJ supports Rule Petition 10-03.

Sincerely,

Paul Gagliardi, President