

The Law Offices of

Catherine M. Thomas

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CLERK OF SUPREME COURT  
OF WISCONSIN

April 9, 2007

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Dear Chief Justice and Justices:

I am a solo practitioner in Milwaukee County practicing exclusively in the area of family law. I opened my family law practice in January 2004 and therefore, had little experience with advanced fees and client billing prior to the Trust Account Rules going into effect. Nevertheless, I am writing to you in support of the proposed amendments to the Trust Account Rules because I have found the existing rules problematic for my practice as well as my clients.

Many of my clients have modest incomes with no savings to speak of other than their retirement accounts. While I am very willing to work with my clients on payment plans once their advance fee has run out, I do require an advance fee at the commencement of my representation so that I have a regular income. It is difficult for many of my clients to secure that advance fee without the ability to rely on the credit that they have available to them in the form of credit cards. Allowing people to pay advance fees to retain a lawyer by using a credit card will not only improve the practices of Wisconsin lawyers, it will assist people of limited means in securing representation.

Additionally, it seems that the Trust Account Rules were created to protect clients from unscrupulous lawyers. While I acknowledge the need to protect members of the public from those lawyers who do not deal with their clients fairly and honestly, I do not believe that the existing rules accomplish that goal. Those lawyers who behave in such a manner, and hopefully they are few and far between, will continue to behave in that manner regardless of the rules. The existing rules seem to serve only to make operating a law practice more difficult for those lawyers who abide by the rules.

Many of these and other problems created by the Trust Account Rules are relieved by the petition currently before the Court. Therefore, on behalf of myself and other solo practitioners in Wisconsin, I respectfully request that the Court approve the joint petition submitted by the State Bar and Office of Lawyer Regulation.

Very truly yours,

Catherine M. Thomas