

Wisconsin Justice Initiative



P.O. Box 100705
Milwaukee, WI 53210

August 8, 2019

Clerk of the Supreme Court
P.O. Box 1688
110 East Main Street, Suite 215
Madison, WI 53701

RE: Petition 19-16 to Amend Wis. Stat. Chapter 802

Dear Honorable Justices:

I am writing in support of Petition 19-16 filed by Quarles & Brady LLP. The petition requests that the Court amend the Rules of Civil Procedure to restore the important role of ghostwriting in limited scope legal representation.

Lawyers who accept pro bono cases legitimately fear that having their names and bar numbers on documents drafted when they give quick advice in a clinic setting can potentially raise future appearances of conflicts of interest in their practices. They are concerned by the unanticipated burden of being erroneously associated with a case long after their involvement should have ended.

A prohibition on ghostwriting essentially deprives clients of legal services by those willing to provide pro bono representation but wary of the new disclosure requirements; in short, it denies indigent clients adequate access to justice. From an efficiency standpoint, discouraging representation and forcing clients to fully represent themselves will cause delays and confusion.

Ghostwriting allows lawyers to provide pro bono help without managing a pro bono caseload outside of the clinic setting. Restoring the rule is essential to ensuring that low-income clients get the limited representation they need.

I hope the rule will be restored to allow volunteer lawyers maximum incentive to fully engage in this type of pro bono work. Our low-income community members need it, and our entire community benefits from it.

Respectfully,



Craig Johnson, President
Wisconsin Justice Initiative