

**JAMES A. GRAMLING JR.  
ATTORNEY AT LAW**

February 27, 2014

Clerk of the Supreme Court  
Attention: Deputy Clerk – Rules  
P.O. Box 1688  
Madison WI 53701-1688

Re: Petition 13-10  
Limited Scope Representation

Dear Chief Justice Abrahamson and Honorable Justices:

I write to support the above Petition in my capacity as Chair of the Delivery of Legal Services Committee of the Wisconsin Access to Justice Commission. Our committee, as the name suggests and as you are aware, is charged with advancing changes which improve the access of low-income citizens to the justice system. The rule change sought here will do just that.

One could argue, I suppose, that the change sought will complicate matters for attorneys who seek to limit their representation to discrete phases of a client's legal problem. After all, attorneys will have to comply with notice requirements, reduce their retainer agreements to writing in many instances, and disclose that certain documents were written by an attorney. I believe that for two reasons these good requirements will not decrease the involvement by attorneys in such arrangements and instead are likely to increase them.

First, the clarification of responsibility will lead at least some attorneys to venture into this area where they might previously have wondered whether there were traps for the unwary. They will know, for instance, that it is wholly appropriate to "ghostwrite" documents as long as they include a simple disclosure. They will have the benefit of court-approved forms which allow them to enter and exit litigation with ease. And they will know that judges will have been encouraged in judicial education sessions to respect the automatic withdrawal procedure.

Second, the proposal exempts from its coverage those limited information and advice encounters which are directed primarily at low-income citizens. Programs like the Marquette Volunteer Legal Clinic in Milwaukee and dozens of free legal clinics around the state can continue to operate, and expand, without modification of their procedures. This appropriate exemption will go hand-in-hand with the effort of the State Bar's Legal

Assistance Committee to greatly expand the number of law firms in the state with committed pro bono policies.

I have had the opportunity over the past six years to engage in limited scope representation in connection with programs at the Social Development Commission and Center for Driver's License Recovery and Employability, both in Milwaukee. The work has centered on assisting clients to file pro se bankruptcies to enable them to recover their suspended driver's licenses and eliminate financial impediments to sustainable family life. I firmly believe that enactment of this proposed rule, coupled with appropriate outreach, will encourage lawyers in private practice to enter into this particular limited area of practice – and many more.

I wholeheartedly encourage you, then, on behalf of the Delivery of Legal Services Committee, to adopt the limited scope representation rule.

Yours truly,

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