



February 7, 2014

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

Re: Petition 13-14 to Amend SCR 60.04

Dear Justices:

I am unable to attend the public hearing; therefore, I am writing this letter to express my support for the Petition by the Wisconsin Access to Justice Commission to amend Section 60.04 of the Judicial Code of Conduct. I understand the proposed amendment will provide input about the steps a Court may take to assure that self-represented litigants are fairly heard in court.

I have devoted my career to child and family advocacy. During my years of practice, the self-represented rate has grown from approximately 10% to recent estimates of 70%. Though I believe the current court forms need further work, I know that many self-represented parties in family court action rely on the forms. Based upon my professional and volunteer work, I am concerned about whether parties are truly making knowing and informed decisions as well as the existence of power imbalances in many relationships. Despite my concerns, I recognize that the majority of family court parties will not be represented.

Based upon that reality and the changing face of family law, I believe the courts need to take all steps possible to support informed and voluntary decision-making by unrepresented parties. The integrity of the court system demands nothing less.

I practice almost exclusively in limited scope Collaborative Practice and in Mediation (primarily with unrepresented parties). I believe that courts should provide information about options between no advice or guidance and full traditional lawyer representation. There are educational tools and handouts available from the State Bar that could supplement the goal of the proposed amendment.

The steps outlined in the proposal for Section 60.04 are a positive start. If approved, I also suggest that a draft of specific sample questions and implementation input be provided to assist judges.

In closing, I urge you approve the steps set forth in the amendment to Section 60.04 of the Judicial Code of Conduct. I would like to see the Supreme Court function as a role model in recognizing the changing legal system with its proliferation of self-represented parties and supporting the evolving roles of courts and lawyers. Thank you for your consideration.

Sincerely,

Susan A. Hansen
Attorney at Law

SAH/rls