

ADMINISTRATIVE OFFICE

230 West Wells Street, Room 800, Milwaukee, Wisconsin 53203
 www.legalaction.org | tel 414-278-7777 | fax 414-278-7156

LEGALAction
 OF WISCONSIN

40 Years of Justice

Honorable Justices
 Wisconsin Supreme Court
 Clerk of the Supreme Court
 P.O. Box 1688
 Madison WI 53701

January 22, 2014

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 CLERK OF SUPREME COURT
 OF WISCONSIN

Re: Petition 13-14

Honorable Justices:

Legal Action is in full and complete support of Rule Petition 13-14. It is difficult for us to see how there can be any objection to a judge's making reasonable efforts, in his or her discretion, to facilitate the ability of *all* litigants, including self-represented litigants, to be fairly heard.

The right to a fair trial or hearing is a fundamental due process right in Wisconsin (*Piper v. Popp, Joni B. v. State*) and is a core value at Legal Action of Wisconsin. We believe that opposing parties in our cases have a right to be fairly heard, as compared to being provided an unfair hearing.

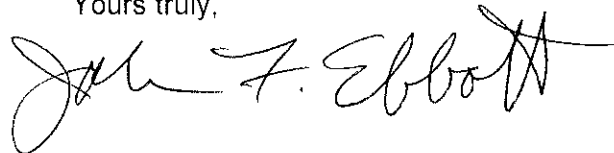
At Legal Action, we encounter *pro se* litigants on the other side, especially in "mom-and-pop" eviction actions and family law cases. In those cases, we see no difficulty in expressly authorizing the judge to make reasonable efforts to facilitate the ability of all litigants to be fairly heard. In fact, we think that it often helps the attorney when the judge is authorized to facilitate the *pro se* litigant's movement through the process. This will often save time and make the process more efficient.

Finally, attorneys have ethical duties to expedite litigation (SCR 20:3.2) and to be fair to the opposing party (SCR 20:3.4), so it is hard to see how the adoption of SCR 60.04(l)(i) would put ethical lawyers at a disadvantage.

When this proposed rule was first being discussed by the Wisconsin Access to Justice Commission, I sat on that Commission and on its Courts and Administrative Tribunals Committee as the representative of an LSC-funded legal services law firm (SCR 14.03(2)). I supported this proposed rule then and Legal Action supports it now.

Thank you for your consideration of these comments.

Yours truly,



John F. Ebbott
 Executive Director