

## Carrie Janto - Petition 17-06 Compensation to Court Appointed Attorneys

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I offer this comment in support of the petition to raise court appointed counsel fees and tie the public defender court-appointed pay rate to the court-appointed rate.

I am a practicing attorney in Manitowoc, WI. The public defender offices in counties as far away as Washburn and Vilas, which are four and five hours away, have been e-mailing Manitowoc attorneys because they cannot find attorneys to take cases there. I get at least one e-mail from a faraway county every day.

I wish that I could afford to help out. I'm sure that a lot of attorneys do. I wish that I could afford to help out the local public defender office on more than a small handful of cases, which I take out of a sense of obligation to help people in need and out of respect for the hardworking people in the local office who supported me when I was getting started in my career. I am trying to run a business with staff and a lot of other expenses and insurance. This is impossible for me to do if they take on any more than a few public defender cases at a time.

The case overload certainly has something to do with law enforcement practices and legislative acts and trends that lead to over-prosecution and over-criminalization. It also has something to do with the rate of pay for public defender cases - \$40 per hour except for \$25 per hour and mileage below the federal reimbursement rate for travel. Having so many people who need attorneys not be able to get them is a constitutional crisis and an only erode the public's confidence in the judicial system. I hope that fast changes come to reduce the number of people who enter into the justice system as charged defendants, but in the meantime, something has to be done to ensure that people's 6th amendment rights are valued and protected. These defendants are very valuable people, at least if we take the idea of correction and rehabilitation seriously. Good lawyers can keep some of these people out of jail and prison and help themselves with work and treatment and help these defendants stay integrated in society, where they can contribute to society instead of draining the treasury as warehoused people.

This is also a matter of simple economics. If the rate goes up, attorneys will step up. More talented young people, more people who are passionate about the law and with justice, will want to go to law school and then get into criminal defense if they feel that they could financially afford to follow that path. We will be able to help resolve the looming constitutional crisis.

Raising the rate to \$100/hour will also create jobs. Lawyers who take a lot of public defender and court-appointed work cannot afford to hire paralegals. They cannot afford subscriptions to law practice management software or research software. They are not going to buy instructional materials from the bar that they can borrow. They are not going to pay for the best good training if they can get cheap CLEs elsewhere. They will not be able to take time off of work to attend intensive training seminars. They are not consuming and driving growth because they do not have disposable income. Their staff are not, either. They will get burned out from overwork and being under-compensated for their level of education and expertise and leave the profession for easier, better-paying work. Raising the rate will allow lawyers to become better lawyers and better drivers of the economy.

Thank you for considering my comments and affording this issue some serious deliberation.

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