

**STATE OF WISCONSIN
IN THE SUPREME COURT**

**In the Matter of the Petition to Amend
SCR 14.03(2) Regarding Access to Justice
Commission**

**PETITION 18-____
Memorandum in Support
of Petition**

Daniel J. Hoff, President, Wisconsin Access to Justice Commission (WATJC), submits this memorandum in support of WATJC's administrative rule petition seeking a rule change to amend SCR 14.03(2) to add one member to its board of directors, thereby increasing the number of members on its board from 17 to 18. This court created the WATJC and has authority to adjust the number of board members, in its sole discretion.

In 2009, the Wisconsin Supreme Court created the WATJC in response to a petition from the State Bar of Wisconsin. See SCR Ch. 14 created pursuant to S. Ct. Order 08-17, *In the Matter of the Creation of an Access to Justice Commission*, 2009 WI 42 (issued Jun. 5, 2009). The WATJC began operations in 2010. Our mission is "to develop and encourage means of expanding access to the civil justice system for unrepresented low income Wisconsin residents." This court formally reviewed the WATJC and continued it, by order dated July 19, 2016. See S. Ct. Order 08-17A, *In the matter of Review of the Creation of an Access to Justice Commission*, 2016 WI 73 (issued Jul. 19, 2016).

To date, we have pursued this mission with a volunteer board of 17 appointed members, who do not receive compensation for their work. Our 17 board members include:

- Five members designated by this court, three of whom are non-lawyers and four of whom include members affiliated with Wisconsin organizations that provide legal services to low-income persons.
- Four members designated by the State Bar of Wisconsin's Board of Governors.
- One member designated by the dean of the Marquette University law school.
- One member designated by the dean of the University of Wisconsin law school.
- One member designated by the board of the Wisconsin Trust Account Foundation, Inc.
- Three non-lawyer members designated by the Governor.
- One member designated by the Speaker of the Assembly.
- One member designated by the President of the Senate.

See SCR 14.03. The WATJC has done its best to fulfill the court's mandate and is intent upon continuing the mission. At a recent meeting on September 27, 2018, the WATJC determined that it would be well served with the formal addition of a member representing the judiciary in Wisconsin's diverse Indian tribes and nations.

Therefore, the WATJC asks the court to amend SCR 14.03(2) to permit the President of the Wisconsin Tribal Judges Association to designate a member who will serve on the WATJC.

For some time now, representatives of the Wisconsin Tribal Judges Association have provided important support for and input on the WATJC's work. This has included sharing information about the challenges self-represented litigants face in tribal courts, joint work on a proposal to create a training program for tribal court advocates, and hosting three WATJC meetings. We have held a number of consultations with representatives from the Wisconsin Tribal Judges Association about formally including them on the WATJC. Hon. Eugene L. White-Fish from the Forest County Potawatomi has attended a number of our meetings as an observer and recently served as our host. At our most recent meeting, Hon. John Powless from the Oneida Nation judiciary attended on behalf of the Wisconsin Tribal Judges Association (WTJA) to reiterate their support for formally including a representative from the tribal judiciary on our board.

Therefore, the WATJC respectfully requests the Wisconsin Supreme Court grant its request and amend SCR 14.03(2) and create SCR 14.03(2)(i) to add a representative from the Wisconsin Tribal Judges Association to the WATJC board of directors.

Respectfully submitted this ___ day of _____, 2018.

Daniel J. Hoff, President
Wisconsin Access to Justice Commission