



STATE OF WISCONSIN – JUDICIAL COUNCIL

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CLERK OF SUPREME COURT  
OF WISCONSIN

NOVEMBER 25, 2020

**VIA FEDEX**

CLERK OF THE WISCONSIN SUPREME COURT  
ATTN: DEPUTY CLERK – RULES PETITIONS  
110 East Main Street, Suite 215  
Madison, Wisconsin 53701-1688

Re: 20-04 Student Practice Petition

Honorable Justices of the Supreme Court:

I am the Chair of the Wisconsin Judicial Council. The Council is aware that the Wisconsin Access to Justice Commission has filed a Petition with the Supreme Court to amend Supreme Court Rule (SCR) Ch. 50. According to that petition:

The rules governing the practical training of law students, Supreme Court Rule (SCR) Ch. 50, are dated, do not provide for adequate experiential learning opportunities for law students, nor do they encourage equitable and diverse membership in the Wisconsin Bar. After reviewing the similar rules in other states, and consulting with Wisconsin's two law schools and the Board of Bar Examiners, the Commission has determined that updating the student practice rules will increase learning opportunities for students, encourage the development of more diverse bar, and increase access to justice.

The Wisconsin Judicial Council includes among its members representatives from Wisconsin's two law schools. The Council also includes among its membership judges from the Circuit Courts of Wisconsin as well as its Court of Appeals. After considering the Commission's petition at the Council's November 20, 2020 meeting, the Council members who were present on that date voted to support this Petition for the following reasons.

First, the Petition is consistent with the legislative mandate of the Judicial Council as expressed in Wis. Stat. §758.13, especially (2)(d) which provides that the Council shall "receive, consider and in its discretion investigate suggestions from any source pertaining to the administration of justice and to make recommendations."

The Commission's supporting Memorandum, authored by the Commission's Chair Attorney Daniel J. Hoff, makes a number of significant points which resonate with the Council. Section V of the Memorandum specifies that the proposed amendments to Ch. 50 expand and enrich "experiential learning opportunities for law students. It allows for the possible creation of more experiential learning opportunities by allowing students to practice under the supervision of a licensed attorney after completing one year of law school." This can only benefit the bench and bar when lawyers newly admitted to practice begin representing clients.

Section VI of the Memorandum specifies that "The new SCR Chapter 50 supports a more equitable and diverse membership in the Wisconsin Bar. It allows law school graduates from all states to practice in Wisconsin at government, nonprofit, or pro bono entities, under supervision for up to 12 months after their graduation while studying for the bar." This clearly would be a positive development.

Most importantly, Section VII of the Memorandum states: "The [new] SCR Chapter 50 increases access to justice for those in need. It provides additional opportunities for law students and graduates to provide desperately needed legal services to the people of Wisconsin. The more students and graduates permitted to practice, the more people who can be helped by legal aid-type organizations and agencies. The proposed rule will not fill the well-documented justice gap, but it does provide—at no-cost—a step in the right direction." This assuredly would be a very positive development for all of the citizens of Wisconsin.

For the foregoing reasons, the Wisconsin Judicial Council supports the Petition of the Wisconsin Access to Justice Commission to amend Supreme Court Rule (SCR) Ch. 50, which is now pending before this Court as 20-04 Student Practice Petition.

Respectfully,

*William C. Gleisner*

William C. Gleisner, III  
Chair of the Wisconsin Judicial Council  
Wis. State Bar No. 1014276  
19125 Killarney Way  
Brookfield, Wisconsin 53045  
Telephone: 414-651-3182  
Email: [gleisnerwilliam@gmail.com](mailto:gleisnerwilliam@gmail.com)