



Wisconsin Clerks of Circuit Court Association

Serving Wisconsin Courts

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September 15, 2011

Clerk of the Supreme Court

Re: Supreme Court Rule 10-08

Dear Justices:

Thank you for the opportunity to provide comment on Supreme Court Rule 10-08 which is scheduled for a public hearing on October 4, 2011. The Wisconsin Clerks of Circuit Court Association agrees with the petition's lofty goal of representation for all individuals, it is the practical application that gives us pause.

Our Association is concerned with the budgetary impact on the counties and local courts of this proposed rule. If the court agrees that representation is required, the next question would be how it is funded. This would likely be determined by the legislature. Even if the State assumed the cost initially, in tight budgetary times this cost would likely shift to the counties.

The petitioners projected that the annual cost of this proposal could be \$56 million statewide. If those costs are shifted to the counties, county courts costs could be as high as 25% of their entire operating budget. Therefore, we would ask the Court to consider the operational budget challenges that the county and the state are facing and will likely continue to face. Given those challenges, we would ask the Court to decline this petition.

There is nothing that would suggest that current budgetary pressures will subside anytime soon assuming that the budgets are flat or decreasing. This would have the effect of shrinking our budgets and reducing access to justice that is currently provided to individuals in our State. It does not make sense to shut court operations down in order to provide attorneys for everyone.

As we said earlier, we agree with the lofty goal of representation for individuals in Civil cases. To that end we would ask the Court to encourage the Bar to provide pro bono assistance and to push the Governor, the Legislature and local governments to increase funding for self-help centers throughout the State.

Again, we appreciate the opportunity to comment on this Rule.

Sincerely,

Lonnie Wolf
President
WCCCA