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March 4, 2016

Wisconsin Supreme Court  
Attn: Clerk of the Supreme Court  
110 East Main Street, Suite 215 PO Box 1688  
Madison WI 53701-1688

Re: Rules Petition 15-06 Comments

Honorable Justices of the Supreme Court:

Legal Action of Wisconsin provides representation to indigent individuals in civil cases in thirty-nine Wisconsin counties from Green Bay to La Crosse and south to the Illinois border. I support Petition 15-06 and urge the adoption of the February 3, 2016 revised petition to amend Wis. Stat. § 803.08.

This Court has previously recognized the tremendous unmet need for civil legal services for the poor, and its letter requesting a Legislative Study Committee gives eloquent voice to the problem. Directing a portion of class action residual funds to the direct delivery of legal services is one way to help fill the gap, without raising fees or taxes on Wisconsin citizens. It also illustrates to the legislature that a good faith effort is being made to exhaust all avenues for civil legal services funding.

I also support the proposal because it will provide guidance to Federal judges and class action litigants, and a framework for the distribution of residual funds from Federal class actions. This is potentially a much greater source of funds than those derived from Wisconsin state court class actions.

I appreciate the desire of the Committee of Chief Judges to retain as much discretion as possible, but given the tremendous need for direct legal services, the decrease in discretion is minimal. Judges will retain the discretion to direct 50% of any residual funds to services that don't involve direct legal services. Directing at least 50% to direct legal services will further the administration of justice, help in a small way to decrease the crush of pro se litigants on the courts, and provide representation and access to justice for indigent litigants. Directing residual funds in this way is more important than the small loss of discretion, and I urge the Court to adopt the revised petition.

Sincerely,

David A. Pifer  
Executive Director

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**La Crosse Office** Buffalo, Crawford, Grant, Jackson, Juneau, La Crosse, Monroe, Richland, Trempealeau and Vernon Counties  
**Madison Office** Columbia, Dane, Dodge, Green, Iowa, Jefferson, Lafayette, Rock and Sauk Counties  
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