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Clerk of the Supreme Court
PO Box 1688
Madison WI 53701

RE: Comment on Rules Petition 17-06, In re petition to amend SCR 81.02

I write in support of this rules petition, which would effectively raise the State Public Defender appointed counsel rate to \$100, and index future increases to inflation.

I am a lawyer in private practice in Dane County, focusing on criminal defense and family law. A relatively small part of my practice consists of SPD appointments. I have found that in order to keep my law practice solvent, I cannot afford to take more than a handful of SPD appointments each year. The current hourly rate is \$40/hour and \$25/hour for travel time, which is far below my normal hourly rate for private pay cases, currently \$200 to \$250 per hour. The \$40/hour rate is insufficient to cover my overhead, let alone turn a profit.

In recent weeks, I have turned down SPD cases in Marathon, Brown, Outagamie, and Forest counties. The Brown County case was a 1st degree intentional homicide case. The SPD offices in these northern counties are seeking attorneys from across the state as they are unable to get any local attorneys to accept the appointments. Unfortunately, as an out-of-town attorney I am even less able to afford to take these cases, as travel time is paid at only \$25/hour.

Last year I did a SPD-appointed 1st degree intentional homicide case in Dane County that resulted in 300 hours of billable time and an eight-day jury trial. That case was a major financial hit to my law practice and something that I can't afford to do again anytime soon.

In summary, I urge you to adopt the proposed rule so that attorneys such as myself can take SPD cases at a reasonable hourly rate and, more importantly, so that the Sixth Amendment right to counsel is more than just empty words on paper.

Cordially

Tim Kiefer