



Wisconsin State Public Defender

315 N. Henry St. - 2nd Floor
PO Box 7923 Madison, WI 53707-7923
Office Number: 608-266-0087 / Fax Number: 608-267-0584
www.wisspd.org

Kelli S. Thompson
State Public Defender

Michael Tobin
Deputy State
Public Defender

October 6, 2015

Clerk of Supreme Court
Attn: Carrie Janto
P.O. Box 1688
Madison, WI 53701-1688

Re: Comment on Rules Petition 15-02, Electronic Appellate Records

Dear Ms. Janto:

We are writing in support of Petition 15-02, which permits electronic transmission of the appellate record and allows for electronic access to the record.

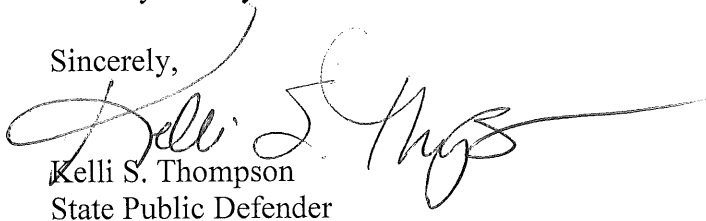
The memorandum in support of the rule petition explains at p.7 that "Parties who e-file their briefs will have access to the record via the Appellate Court eFiling System." It is our understanding that the electronic record will be accessible throughout the briefing process. Remote electronic access to the record will provide significant conveniences to appellate practitioners in drafting and editing briefs.

Electronic access to the appellate record could also improve the accuracy of the record. The petition addresses transmission of the record *after* the filing of a notice of appeal. From their computer, a party will be more able to see quickly and precisely what was transmitted to the appellate court, and compare the electronic record to the paper copy provided per Wis. Stat. §809.30(2)(g). In addition, index items are occasionally ambiguous. Electronic access will make it easy to ascertain the precise nature of each index item.

An additional benefit from this rule could be realized when a *pro se* appellant requests appointment of counsel. When that happens, the appellate court refers the matter to the SPD for a determination as to whether it will appoint counsel. The electronic appellate record, if made accessible, will assist this process.

Thank you for your consideration of Petition 15-02 and for the opportunity to comment on this petition.

Sincerely,



Kelli S. Thompson
State Public Defender