



STATE BAR OF WISCONSIN
Leaders in the Law. Advocates for Justice.®

December 12, 2019

Sent Via Electronic Mail and Regular Mail

Clerk of Supreme Court
Attention: Deputy Clerk-Rules
P.O. Box 1688
Madison, WI 53701-1688
clerk@wicourts.gov

RE: Written Comments Regarding Rule Petition 19-16 - In the Matter of Amending Wis. Stat. § 802.05(2m) relating to Ghostwriting, A Form of Limited Scope Representation

Dear Clerk of Supreme Court:

We are writing on behalf of the Board of Governors of the State Bar of Wisconsin to provide comments regarding Rule Petition 19-16. We have previously communicated with the Court indicating that the Board of Governors of the State Bar of Wisconsin would be reviewing this matter at its meeting on December 6, 2019 (see attached correspondence).

This Rule Petition asks the Court to restore Wis. Stat. § 802.05(2m) to its previous iteration to permit attorneys in limited-scope representations to assist otherwise self-represented persons in drafting a pleading, motion, or other filed document without disclosing the attorney's name or state bar number.

The Board of Governors, at its recent meeting, adopted the following Policy Statement regarding limited scope representation by Wisconsin lawyers. The Board of Governors believes that the prior Rule changes, that were the result of lengthy study, should be considered the appropriate and reasoned manner to address limited scope representation and the involvement of an attorney in helping a pro se individual providing documents to the presiding Court.

Thank you for considering this matter. We respectfully request the opportunity to present this information and answer any questions that the Court may have at the Hearing on January 17, 2020.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dean R. Dietrich".

Dean R. Dietrich
State Bar of Wisconsin
Board of Governors

Attachments

cc: Lisa Roys (via e-mail only)

STATE BAR OF WISCONSIN

POLICY STATEMENT

The State Bar of Wisconsin supports policies which encourage or enhance the quality and availability of legal services to the public. This includes the use of “ghostwriting” that provides for the vital participation of legal counsel, without disclosure of the attorney’s name or bar number, in assisting pro se individuals in preparing documents for use within the legal system. This limited legal assistance can benefit parties and the court by focusing the legal issues and more clearly stating the facts and therefore promoting the effective administration of justice. Lawyers, as an essential component of the state’s justice system, have a responsibility to work for an efficient and effective justice system.



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The Board of Governors of the State Bar of Wisconsin is meeting on Friday, December 6 for a discussion regarding the content of this Rule Petition. We respectfully request the opportunity to supplement this letter with further information after the Board of Governors has had an opportunity to fully discuss and deliberate regarding the content of this Rule Petition.

We also respectfully request the opportunity to present further information to the Court at the time that this matter is scheduled for hearing before the Court.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dean R. Dietrich".

Dean R. Dietrich
State Bar of Wisconsin
Board of Governors

cc: Lisa Roys (via e-mail only)