

November 27, 2020

Clerk of the Wisconsin Supreme Court
Attn: Deputy Clerk-Rules Petitions
PO Box 1688
Madison, WI 53701

Re: Letter in support of:

*In the Matter of the Petition to Repeal and Recreate Supreme Court Rule (SCR)
Chapter 50, Regarding the Practical Training of Law Students (20-04)*

Dear Honorable Justices of the Supreme Court,

I write in support of the Wisconsin Access to Justice Commission's proposed revision to SCR 50, commonly known as the Student Practice Rule. The revision would allow law students and new lawyers apprenticeship opportunities to enhance their education, marketability, and put them on a quicker path to success. Better-trained lawyers will benefit clients, the courts, and the legal profession.

I write as a 2008 graduate of UW Law School, a former participant in UW Law's clinical programs, a practicing lawyer, and an adjunct professor of law. But mostly, I write because I will never forget being a terrified new lawyer who would have benefitted from enhanced opportunities to practice during law school. It is my hope that passage of this rule will encourage law school clinical programs, entities offering externships, and employers to be creative in offering students mentored opportunities to practice.

The rule's passage would allow entities offering externships to focus more on training students for hands-on, in-court work instead of having students sit in the gallery observing others. Students could likewise take greater ownership in their work by signing pleadings and letters to the court and providing legal advice to clients while under strict supervision. Employers could recruit recent graduates to work in an apprenticeship setting without having to wait out bar exam results. New graduates could focus their energies on learning to practice law without the immediate added pressure of passing a bar exam.

Allowing students and new lawyers greater opportunities to practice in court under close mentorship will also provide emotional support. In my experience, the UW Law School excelled in teaching intellectual scholarship and was good at developing practice skills. But law schools barely scratch the surface of addressing the enormous emotional challenges lawyers face. Unique

to our profession are the often strong and sometimes unavoidable adversarial relationships with opposing counsel, the wrath of judges, and the frustrations expressed by clients. Expanding access to practice as lawyers, appear in court, and take ownership over their work will expose students and new lawyers to the emotional challenges of practicing law in a supported setting where seasoned lawyers can teach healthy coping strategies.

Law school is necessary but not sufficient to train new lawyers. Amending the rule will infuse into law schools and employers tools to provide more opportunities for hands-on training while increasing access to courts for people in need of legal services.

Thank you for your consideration.

Sincerely,

Anne M. Bensky
SBN: 1069210

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