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CHIEF JUSTICE SHIRLEY S. ABRAHAMSON
SUPREME COURT

April 4, 2007

The Supreme Court of Wisconsin
16 E. State Capitol
Madison, WI 53702-0001

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CLERK OF SUPREME COURT
OF WISCONSIN

Dear Chief Justice and Justices,

I am writing this letter in support of the proposed amendments to the Trust Account Rules. I am a small firm practitioner in Milwaukee County practicing family law. The trust account rules have had a very negative impact upon small firms and solo practitioners as they are unduly burdensome. There are several problem areas with the existing rules:

1. The current rules lack a clear definition of an advance fee. The proposed amendments would clearly define various fee arrangements.
2. The absolute requirements that all fees be deposited into the trust account is unduly burdensome. The existing rules require many hours of extra bookkeeping for each client's sub account within the trust account, the general account, and each client's billing statement. The proposed amendments would eliminate these problems and also create many safeguards to protect the client's unearned fees.
3. The prohibition of advance fees paid by credit card is unreasonable for many clients and attorneys. Often, in a divorce, a client does not have sufficient funds to pay a cash retainer. This is also true for many clients in criminal cases. The trust account amendments provide a workable solution to this problem.
4. The current trust account rules do not have a time limit for the client to object to the withdrawal of fees from the trust account. The trust account amendments provide for a 30-day period for the client to object to the fees.
5. The current trust account rules do not require the client to provide a specific objection to the withdrawal of fees from the trust account. The proposed amendments require the client to make a specific objection to the withdrawal of fees.

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I know many other attorneys who have also experienced significant problems with the current trust account rules. I strongly urge you to approve the proposed amendments.

Very truly yours,

HALLING & CAYO, S.C.


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