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Dear Justices of the Supreme Court :

I write in support of the Petition to Increase the Compensation for Court Appointed and SPD Appointed Attorneys, Petition 17-06.

I work for a small firm and occasionally take misdemeanor public defender appointments. I enjoy the work and would like to make criminal defense a larger part of my practice. I have been lucky enough to speak with a few highly experienced criminal defense attorneys in Wisconsin about how they went about developing a successful practice. They often described their path as involving taking a large amount of SPD appointment cases early in their careers which allowed them to gain knowledge, skill, and recognition in the field which gradually transitioned into more private, higher paying cases over time.

This model makes sense. New members of any profession should expect to start out their careers earning less at the outset while they work to gain the knowledge and skills which their more seasoned colleagues possess. But the current pay rate for SPD appointments is so low that it threatens to completely rule out this model of career development for many young attorneys who are interested in representing those charged with crimes.

It is difficult to convince your firm to allow you to take on SPD appointments. The firm is rightfully concerned about the hourly rate of pay being much lower than its other practice areas. The SPD will not pay for paralegal time spent on these cases. The cases themselves typically involve a lot of mandatory court appearances. Oftentimes the appearance itself lasts only a few minutes. But the commute to and from the courthouse (paid at a lower "travel rate" of \$25/hour) and the wait for the case to be called can take hours. I think that, for many firms, these types of concerns force them to refuse to allow their young attorneys to accept any SPD appointments or, at the least, greatly limit the number of cases they can accept.

As a result, I think the current pay rate has a chilling effect on young attorneys who are otherwise interested in practicing criminal defense. As the Petition and other commenters point out, the low pay rate has already created a scenario where there are too many clients and not enough attorneys to represent them. These are clients for whom our Constitution guarantees the right to an effective attorney. Failing to increase the pay rate will further alienate those young attorneys who are interested in representing people charged with crimes and will ensure that the shortage of criminal defense attorneys will worsen in the years to come.

Thanks very much for your time and consideration.

/s/

Atty. Ken J. Kucinski