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VIA EMAIL clerk@wicourts.gov

Clerk of Supreme Court
Attn: Deputy Clerk for Rules
P. O. Box 1688
Madison, WI 53701-1688

RE: Rule Petition 17-06, In re Petition to Amend SCR 81.02

Greetings:

I write in favor of Rule Petition 17-06, In re Petition to Amend SCR 81.02, to increase the compensation to court-appointed lawyers and those appointed by the State Public Defender. I have reviewed the comments submitted by Attorney Birdsall and Attorney Schultz in response to a letter dated January 19, 2018. I agree with their statements in that response. I write separately as someone who lives and practices in Ashland, Wisconsin and sees the crisis that the current rate of compensation is creating in our local courts.

I am a general practitioner with one partner, three support staff and two associate attorneys. We provide living wages and benefits to our employees. Being compensated for work at \$40 per hour would not allow us to function as our office overhead well exceeds \$40 an hour. We are a general practice and maintain a quality print library as well as Westlaw research capability to ensure that we can provide the best service we can to our clientele. Due to the overhead costs created by running what I believe to be a great firm, we cannot accept public defender appointed cases and only a limited number of court appointed Guardian ad Litem cases.

I have seen defendants on intake days state that they have been in jail for weeks without meeting with a lawyer. This while they are still assumed innocent under the law and unable to make bail. Other defendants are represented by counsel that must travel great distances and who have had difficulty in maintaining contact with their clients. Indigent clients often have greater issues with communication as they have limited phone minutes or inconsistent housing. Local attorneys can help alleviate these issues by being more readily available to meet with clients. Our treatment courts and diversion programs suffer because of the quick acceptance required to join the programs as well.

My primary practice counties of Ashland and Bayfield County do not have a shortage of lawyers, but a shortage of lawyers willing to work at the current compensation rate. I was recently appointed to a case by a judge for an individual who qualified for a State Public Defender-

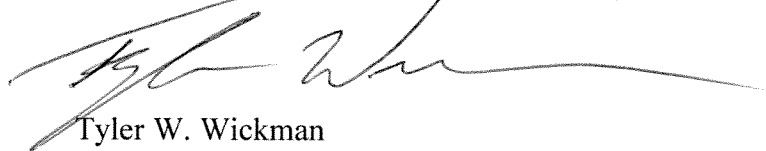
appointed attorney but for who the SPD could not find another lawyer. I only agreed to take the case because the judge agreed to compensate me at \$100 per hour.

The delay in finding attorneys for the accused delays the entire court process and results in problems for the jail, the prosecutors and the court. It obviously has implications on the defendant, but it also implicates the victim's rights in the case not being timely resolved which may be in the victim's interest. There are many quality attorneys who are willing to work at \$40 an hour, but there are not enough. I can foresee attorneys with increased compensation more efficiently handling cases as well by hiring support staff and investing in library resources. Defense attorneys not only ensure that the indigent's constitutional rights are being preserved, but also are usually the first supportive person to direct a person to rehabilitative options such as treatment or diversion programs. If approved, my office will accept more appointed cases.

I urge you to support this petition.

Yours truly,

DALLENBACH, ANICH & WICKMAN, S.C.

A handwritten signature in black ink, appearing to read 'Tyler W. Wickman', with a long horizontal flourish extending to the right.

Tyler W. Wickman

TWW/mm