

June 3, 2019

Clerk of the Supreme Court
P.O Box 1688
110 East Main Street, Suite 215
Madison, WI 53701

RE: Petition 19-16 to Amend Wis. Stat. Chapter 802

Dear Honorable Justices:

I write to convey the support of Godfrey & Kahn, S.C. of Petition 19-16 filed by Quarles & Brady LLP. The Petition requests that the Court amend the Rules of Civil Procedure to restore the important role of ghostwriting in limited scope legal representation.

This Firm's attorneys are committed to the best ideals of the profession and have consistently provided pro bono legal advice at the Marquette Volunteer Legal Clinic's several locations (including the Milwaukee Justice Center, the Mobile Legal Clinic, and others), Legal Action of Wisconsin's Eviction Defense Project, and other brief legal services clinics, in reliance on the Supreme Court Rules of Professional Conduct for limited scope representation, including the provision allowing ghostwriting without disclosing one's name or bar number. This provision allowed our lawyers to give their time and talents free from worry that they could later be called upon by an opposing party to communicate with a client from a brief legal advice clinic setting. When clients leave brief legal advice clinics with work prepared by volunteer attorneys, the attorney has no guarantee the work will be filed with the court without alteration by the client. Our lawyers are, understandably, not keen on losing sight of their work, with their name attached to it, before it reaches the court.

The ghostwriting provision was a tool enabling lawyers to serve clients unable to afford private representation without concern about unintended future involvement in matters arising from short-term limited legal services, which were provided without expectation by either the lawyer or the client that the lawyer would provide continuing representation in the matter. We believe that the services our attorneys provide in brief legal advice settings are an important public contribution, and therefore these services should be encouraged through common sense rules. Accordingly, we believe that this essential component of limited scope representation should be restored.

Respectfully,
GODFREY & KAHN, S.C.

Daniel C.W. Narvey
Sean D. Bosack