



728 N. JAMES LOVELL STREET  
MILWAUKEE, WI 53233  
TELEPHONE: 414/727-5300  
FAX: 414/291-5488  
WWW.LASMILWAUKEE.COM

COLLEEN FOLEY  
Executive Director

November 12, 2020

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

Re: Rule Petition 20-04, relating to the proposed changes to SCR Chapter 50

Dear Honorable Justices of the Supreme Court:

The Legal Aid Society of Milwaukee writes 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 increase access to affordable legal services for individuals in need, support a more equitable and diverse membership in the Wisconsin Bar, and improve the experiential education of clinical law students.

The Legal Aid Society of Milwaukee is one of the nation's oldest operating public interest law firms, celebrating our 104<sup>th</sup> anniversary this year. Our mission and our passion is equal justice for all and ensuring that the legal system works for everyone – not just those with means. We serve Milwaukee County residents at or below 125% of the federal poverty guidelines and witness firsthand the vital need for more expansive civil legal services in our community and around the state. We applaud Rule Petition 20-04 as an insightful method to advance access to justice and reduce disparities statewide, while providing for a more robust law school experience and diverse lawyer retention.

We support the proposed revision to SCR 50 because it would increase access to affordable legal services for individuals in need. The new rule would allow law school graduates from all states to practice in Wisconsin at government, non-profit, or pro bono entities, under supervision of a licensed attorney for up to 12 months after their graduation from law school while they study for and take the Wisconsin bar exam. The increased amount of legal services would be provided at no extra cost to the community. Allowing a supervision period for out-of-state law school graduates studying for the Wisconsin bar exam will increase the pool of attorneys who can live

and work in Wisconsin. These new law school graduates will increase the volume and quality of services provided to underserved individuals currently unable to access legal services.

The proposed revision to SCR 50 would increase diversity of the Wisconsin bar. The proposed revision extends the opportunity to begin serving the Wisconsin community immediately after graduation to all law school graduates, which is currently only afforded to Wisconsin law school graduates. The diversity of Wisconsin is not currently reflected in our bar, and specifically not in the government and public interest sectors of practice. The proposed amendment would provide new law school graduates from throughout the country a pathway to practice law in Wisconsin that does not currently exist. These new graduates would have a positive impact on the Wisconsin economy. Attorneys who begin their careers in Wisconsin are more likely to put down roots and remain here.

Finally, the revision would allow for the creation of more experiential learning opportunities for current law school students. The revision would allow clinical law students to practice law under supervision of a licensed attorney after completing credits for one year of law school. That would enhance the learning experience for law students and enable firms to provide a more meaningful internship experience. The Legal Aid Society mentors law clerks year-round at both of our offices involving civil and Guardian ad Litem legal work. We welcome the growth opportunities this rule change would provide for firms and students.

The current rule requires clinical law school students to have completed credits for 1.5 years of law school, which prohibits enrolled clinical students from fully engaging for 2/3rds of their learning experience. The change will allow interested students more, and richer educational opportunities. In 2014, the ABA mandated that all students graduating in 2019 and beyond and take at least 6 credits of experiential learning courses. Fifteen states have adopted a rule allowing clinical law students to practice under supervision after one year of law school, with positive results for students. Wisconsin's neighboring state of Minnesota adopted the rule nearly 4 decades ago in 1982. Clinical faculty at University of Minnesota and Mitchell Hamline School of Law have never experienced issues with certified student attorneys and confirm that the rule contributes to the strength of the law schools' clinical programs.

For the reasons stated above, the Legal Aid Society of Milwaukee invites the justices to consider the revision to SCR 50. The revision increases access to legal services, invites students from across the country to begin their legal careers in Wisconsin, and offers law schools the opportunity to expand and improve experiential learning programs. Thank you for your consideration of this matter.

Very truly yours,



Colleen Foley, Executive Director  
Legal Aid Society of Milwaukee, Inc.