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November 25, 2020

VIA EMAIL & U.S. MAIL*clerk@wicourts.gov*Clerk of the Wisconsin Supreme Court
Attn: Deputy Clerk-Rules Petitions
P.O. 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:

We are writing 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.

As practicing civil and criminal trial attorneys, we at Pines Bach are committed to increasing services to underserved populations of Wisconsin. We have seen first-hand the need for more expansive legal services in our community. We frequently receive requests for services from individuals who have financial difficulty or are unable to pay for representation.

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 that are currently unable to access legal services.

The proposed revision to SCR 50 would also 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 embrace Wisconsin.

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. 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 to 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 in 1982. Clinical faculty at University of Minnesota and Mitchell Hamline School of Law have never experienced issues with certified student attorneys and believe that the rule contributes to the strength of the law schools' clinical programs.

For the reasons stated above, we urge 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.

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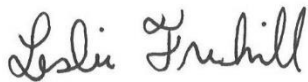
Pines Bach LLP

Sincerely,

PINES BACH LLP

A handwritten signature in cursive script, appearing to read "Lester A. Pines".

Lester A. Pines

A handwritten signature in cursive script, appearing to read "Leslie A. Freehill".

Leslie A. Freehill

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