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February 4, 2021

Sent via email only

Chief Justice Patience D. Roggensack
Justice Ann Walsh Bradley
Justice Annette Kingsland Ziegler
Justice Rebecca G. Bradley
Justice Rebecca F. Dallet
Justice Brian Hagedorn
Justice Jill J Karofsky
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RE: **Support for Rule Petition 20-06**

Dear Chief Justice and Justices:

I write to express my support for the approval of Rule Petition 20-06. I was honored to serve on the State Bar's Emeritus Task Force which recommended the proposed rule changes set out in Petition 20-06. I am also a member of the Access to Justice Commission created by Chapter 14 of the Supreme Court rules. The Access to Justice Commission has long sought to increase the numbers of lawyers eligible to provide pro bono legal services in Wisconsin. Petition 20-06, if approved, will increase Access to Justice.

Many retired or inactive lawyers express their willingness to provide pro bono legal services, but today, unless they are over 70 years old and can qualify for "Emeritus" status, such lawyers are required to maintain (or in some cases, acquire) an active membership in the Wisconsin State Bar and satisfy Continuing Legal Education requirements to provide pro bono service. For many inactive members, those requirements are too onerous to permit them to volunteer.

Many jurisdictions have adopted "Pro Bono" categories of membership. Until now, Wisconsin has not adopted this simple solution to increasing the numbers of individuals available to provide pro bono services. Petition 20-06 simplifies administration of the "Pro Bono" category by placing the pro bono lawyer under the auspices and supervision of a qualified pro bono program as defined in SCR 31.02.

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Such a pro bono legal services entity would be required to file a certificate of compliance with the provisions of new Rule 10.03(3) (am) to the State Bar of Wisconsin. No other entity would be required to supervise the activities of the new Pro Bono lawyers. With such a program, Wisconsin will join a host of other states who allow inactive lawyers to actively provide legal services to those who need help.

Based on anecdotal evidence only, it appears that lawyers are interested in serving in this way. Several people have reached out to me during the process of drafting these proposed rule changes. I am optimistic that with adoption and publication of the Petition, there will be a measurable and substantial increase in the numbers of lawyers providing pro bono services.

One of the other important objectives for the rule is to ensure that there is a requirement for Continuing Legal Education for all active practicing lawyers. Lawyers are privileged to serve as members of a learned, licensed profession. We understand that practicing law includes a commitment as a matter of ethics to lifelong learning.

Sincerely,

/s/ Diane S. Diel

Diane S. Diel

DSD: jd

Enclosures