

SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 08-17

In the matter of Creation of an Access to
Justice Commission.

FILED

JUN 5, 2009

David R. Schanker
Clerk of Supreme Court
Madison, WI

On July 1, 2008, the State Bar of Wisconsin, acting pursuant to a resolution of its Board of Governors and in keeping with the report entitled Bridging the Justice Gap: Wisconsin's Unmet Legal Needs (March 2007), filed a petition requesting this court to establish a statewide Access to Justice Commission. The court held a public hearing and administrative conference on December 17, 2008, and a second administrative conference on May 13, 2009, on the petition.

IT IS ORDERED that, effective the date of this order, Chapter 14 of the Supreme Court Rules is created to read:

SCR CHAPTER 14

ACCESS TO JUSTICE COMMISSION

SCR 14.01 Definitions.

(1) In this chapter:

(a) "Commission" means the commission created under SCR 14.02.

(b) "State bar" means the state bar of Wisconsin.

SCR 14.02 Creation and Purpose.

(1) In order to aid the courts in improving the administration of justice by supporting civil legal services to those who cannot afford them, the State bar shall create an Access to Justice Commission.

(2) The mission of the Commission is to develop and encourage means of expanding access to the civil justice system for unrepresented low income Wisconsin residents.

SCR 14.03 Administration.

(1) The Commission shall be organized and operated exclusively for law-related charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

(2) The Commission shall consist of a 17-member board of directors as follows:

(a) Five members designated by the supreme court; two of whom shall be affiliated with a Wisconsin organization that provides legal services to low-income persons and that is funded by the Legal Services Corporation; and two of whom shall be affiliated with a Wisconsin organization that provides legal services to low-income persons and that is not funded by the Legal Services Corporation. Three of the five designees shall be public (non-lawyer) members.

(b) Four members designated by the board of governors of the State bar; one of whom shall be the chair of the State bar's Legal Assistance Committee, or the chair's designee.

(c) One member designated by the dean of the Marquette University law school.

(d) One member designated by the dean of the University of Wisconsin law school.

(e) One member designated by the board of the Wisconsin Trust Account Foundation, Inc.

(f) One member designated by the Speaker of the Assembly.

(g) One member designated by the President of the Senate.

(h) Three public (non-lawyer) members designated by the Governor.

(3) If any person or entity declines to appoint one or more members, the supreme court shall appoint a member.

(4) The term of office for each member of the board of directors of the Commission shall be three years, except that the terms of the initial appointees shall be as follows:

(a) Two initial designees of the supreme court, and one initial designee of the Governor, the Speaker of the Assembly, and the State bar shall serve a one-year term.

(b) Two initial designees of the supreme court, and one initial designee of the Governor, the President of the Senate, and the State bar shall serve a two-year term.

(c) The other initial designees shall serve a three-year term.

(5) The Commission may adopt such governing documents, rules, and procedures as necessary for the Commission to operate, administer, and manage its affairs in compliance with this chapter. The Commission members shall serve without

compensation but shall be entitled to reimbursement for their expenses reasonably incurred in the performance of their duties.

SCR 14.04 Funding.

In accordance with the offer of the State bar, the Commission shall be funded and staffed by the State bar for at least three years.

SCR 14.05 Reporting.

The Commission members shall meet with the supreme court annually and shall file a written annual report with the supreme court and with the executive director of the State bar on its activities. The report shall describe the Commission's activities and progress during the prior 12-month period and its goals for the subsequent 12-month period.

SCR 14.06 Review.

Six months before the State bar's three-year funding ends, the supreme court shall evaluate the progress made by the Commission toward the goal of better addressing issues of access to justice in civil legal matters for low-income residents of Wisconsin and its funding and staffing needs and determine the continued existence of the Commission.

IT IS FURTHER ORDERED that notice of this order be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 5th day of June, 2009.

BY THE COURT:

David R. Schanker
Clerk of Supreme Court

