



January 10, 2014

Wisconsin Supreme Court
110 East Main Street, Suite 215
P.O. Box 1688
Madison, WI 53701-1688

RE: Petition 13-11 (relating to Pro Hac Vice Applications)

Dear Honorable Justices:

I write on behalf of the Board of Directors of the Wisconsin Trust Account Foundation, Inc.

The Wisconsin Trust Account Foundation, Inc. (WisTAF) supports rule petition 13-11, as submitted by Rod Rogahn, Board of Administrative Oversight Chairperson and Keith Sellen, Office of Lawyer Regulation Director, with the following modification:

1. A portion of any increase in Wisconsin pro hac vice fees should be designated for low-income and indigent civil legal services.

It is our understanding that the current petition designates all pro hac vice fees to go to the Office of Lawyer Regulation (OLR). Given the budget constraints faced in recent years, as well as the increase in OLR's responsibilities, we support OLR's request that additional fees be generated to offset a portion of those increased costs, and that a portion of any pro hac vice fees be designated to OLR.

However, those same budget constraints have disproportionately impacted Wisconsin's poor. When the current pro hac vice rule was established, WisTAF had requested that the funds generated by the fee be used to provide civil legal services for Wisconsin's low-income and indigent residents. We would like to repeat that same request now, while honoring OLR's petition request in whole or part.

We submit Appendix A (chart of 2000-2014 WisTAF grants) to show the more than 270% decrease in funds available for low-income and indigent civil legal services in Wisconsin since the loss of state appropriation funding in 2011.

We also note that WisTAF's IOLTA reserves and cy pres funds will be exhausted within the next two years, when we anticipate that the only available annual funds for low-income civil legal services will consist solely of funds generated by the Public Interest Legal Services Fund (PILSF).

If this happens, it would be the first time in WisTAF's history that we would not be in a position to guarantee the IOLTA grants that we make. This ability to guarantee grants is vital to those agencies receiving IOLTA funds. IOLTA income can fluctuate dramatically from one year to the next, which makes granting solely from projected IOLTA income uncertain at best.

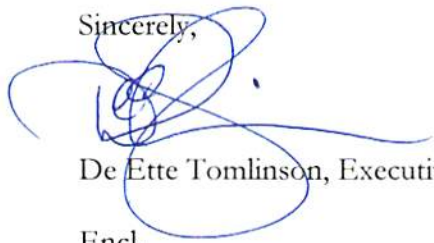
Currently, annual IOLTA income does not provide any more than \$50,000 per year in grant funding; the rest is provided by WisTAF reserves.

These facts taken together mean that, beginning in 2016, unless there is a significant increase in the federal reserve interest rate by that time (which seems unlikely), Wisconsin's attorneys and judicial members will provide the only source of funding for civil legal services in Wisconsin. We believe that attorneys from outside of Wisconsin should support Wisconsin lawyers and judicial members' dedication to providing access to justice, by designating at least a portion of any Wisconsin pro hac vice fee to low-income and indigent civil legal services in Wisconsin.

If the Court chooses to approve OLR's petition in its entirety, we would respectfully request that an additional \$150 or more be added to the final fee amount -- increasing Wisconsin's total pro hac vice fee to at least \$350 -- with all funds in excess of the \$200 requested by OLR to be designated for low-income and indigent civil legal services.

Thank you for your consideration. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



De Ette Tomlinson, Executive Director

Encl.

WisTAF Grants 2000 through 2014

