

## ADMINISTRATIVE OFFICE

230 West Wells Street, Room 800, Milwaukee, Wisconsin 53203  
 www.legalaction.org | tel 414-278-7777 | fax 414-278-7156

**LEGAL Action**  
 OF WISCONSIN

**40 Years of Justice**

October 17, 2013

Honorable Justices  
 Wisconsin Supreme Court  
 Clerk's Office  
 110 East Main Street #215  
 P.O. Box 1688  
 Madison WI 53703-1688

**RECEIVED**

OCT 22 2013

CLERK OF SUPREME COURT  
 OF WISCONSIN

Re: Petition 13-15

Honorable Justices:

Enclosed in support of Petition 13-15 is the transcript in the case mentioned at page 14 of the Memorandum in Support of Petition 13-15, in which the Circuit Court judge removed an attorney as counsel based on a court appointment made by the previous judge in the case. The case is *Bank of America v. Burks*, Case No. 12-CV-1414, a foreclosure action. The particular foreclosure defendant involved can not hear, can not speak, and has a paralyzed right arm. I also enclose the Civil Court Record, which includes the court notes from 8/17/12, the date on which Judge Amato appointed counsel for Mr. Hill. The notes show the factual basis on which Judge Amato appointed counsel. The proceedings in that case on September 17, 2013 raise a serious question regarding whether they could possibly be fundamentally fair to this litigant had he not had the assistance of counsel. These proceedings also highlight the way in which attorneys materially assist the court.

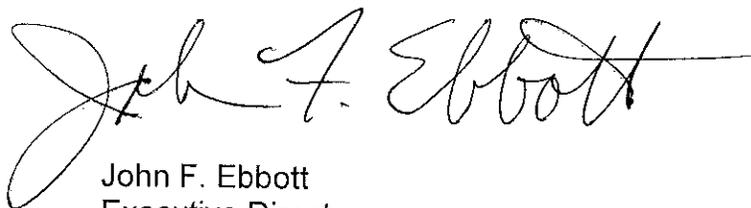
I also enclose a Court of Appeals decision in *Salim v. Salim*, Appeal No. 2012AP70. This decision issued on October 8, 2013. In it, the Court states: "This is a civil case, and Salim is not entitled to a court-appointed lawyer." While it is true that there is no constitutional *entitlement*, the Court of Appeals ignores the inherent power to appoint and the duty to engage in a *Piper-Joni B.* analysis as to whether an attorney is necessary to a fundamentally fair trial.

The *Bank of America* transcript and the *Salim* decision show that judicial education has not been effective at either the trial court or the appellate level.

Honorable Justices  
Wisconsin Supreme Court  
Page 2  
October 17, 2013

Thank you for your consideration of this submission.

Yours truly,

A handwritten signature in black ink, reading "John F. Ebbott". The signature is written in a cursive style with a large, looping initial "J" and a long horizontal stroke extending to the right.

John F. Ebbott  
Executive Director  
Legal Action of Wisconsin, Inc.  
Bar No. 1012871

On Behalf of the Petitioners  
Petition 13-15