



Wisconsin State Public Defender

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CLERK OF SUPREME COURT
OF WISCONSIN

Clerk of the Supreme Court
Attn: Deputy Clerk -- Rules
P.O. Box 1688
Madison, WI 53701-1688

Re: Rules Petition 14-03, relating to mandatory electronic filing in circuit court and conversion to electronic circuit court records

Dear Clerk of Court:

We are writing in support of Petition 14-03, which proposes certain changes to Wis. Stat. s. 801.18, relating to mandatory electronic filing in circuit court and conversion to electronic circuit court records. The SPD agrees with others that e-filing creates efficiencies that improve the criminal justice system. Attorneys benefit from being able to file court documents and view court files at convenient times and locations.

In spite of its general support of e-filing, the SPD initially had concerns about the fees related to e-filing because nothing in the proposed statute explicitly exempts indigent individuals from paying the required e-filing fees. A requirement that the SPD pay e-filing fees would create a significant financial hardship for our agency.

On December 5, 2014, Jefferson County Circuit Court Judge Randy Koschnick gave a presentation at the State Bar Board of Governors meeting about the benefits of e-filing. Based on Judge Koschnick's remarks at that meeting and in a subsequent conversation with Judge Koschnick, the SPD understands the fee will be waived for any indigent clients or for government agencies, including the SPD. In addition, the SPD has confirmed with the Director of State Courts that the SPD (and private attorneys in cases appointed by SPD) will be exempted from the e-filing fees pursuant to policy under Wis. Stat. § 801.18(7)(c).

With the understanding that it will be exempt from e-filing fees, the SPD supports Petition 14-03.

Sincerely,

Kelli S. Thompson
State Public Defender