



WISCONSIN CREDITORS' RIGHTS ASSOCIATION

LAW FIRMS PROVIDING LEGAL AND LEGISLATIVE SUPPORT TO
WISCONSIN CREDITORS AND COLLECTORS

Matthew J. Richburg, President
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January 21, 2016

Wisconsin Supreme Court
16 East State Capitol
PO Box 1688
Madison, WI 53701

Re: Consideration of the Rule Petition 14-03 regarding e-filing

Dear Justices of the Supreme Court:

It has come to our attention that the Supreme Court will be considering a petition to make e-filing mandatory in Wisconsin. Our organization represents creditors in circuit courts throughout the state of Wisconsin. Some of the organization's members handle a very high volume of cases throughout the state.

We recognize the potential benefits of e-filing to the courts, litigants and our clients. Ultimately we think that e-filing will increase efficiency within the courts as well as have the potential to reduce costs for parties and the system as a whole, but there are some issues that need to be addressed before e-filing is mandated. Some members of the organization have been involved in the testing of the e-filing system and want to make sure that before any petition is approved, that some issues we have encountered are addressed.

The first concern involves the separate per transaction cost of either \$2.50, if paying by check, or 2.75%, if paying by credit-card, given that there already is an additional \$5 filing fee. Private-sector merchants generally do not charge the customer more for using a check or a credit card. The price of an item is usually set considering the costs of doing business. The extra costs present a number of burdens for filers in terms of accounting, client reimbursement and workflow. Such burdens do not exist when just paying a filing fee per case that is recoverable. To eliminate the burden and the separate costs involved with the filing, we would ask that just one fee for filing be implemented.

Another concern that was raised involves the payment system that is currently being utilized. One of the organization's members had a paralegal try and file a summons and complaint with a court, but had an issue in paying electronically. She attempted to pay for the filing using her law firm's routing and checking account number, but was listed as the payor on the check. She was not able to list anyone else or another entity as the payor. She was told that having the law firm listed as the payor is not an option at this time. The bank rejected the check so a separate paper check had to be sent to the court in lieu of paying online. Ensuring that there is an option to list

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law firms and other businesses as payors when filing is imperative to ensure that the e-filing system will work for all types of filers.

In addition to the issues that we have raised, we agree with Judge Sciascia's concerns about the proposed system and agree that issues with the e-filing software that need to be addressed before e-filing is mandated. We sincerely appreciate your time and attention to this matter.

Sincerely,

Wisconsin Creditors' Rights Association

A handwritten signature in blue ink, appearing to be "J. D. Hermersmann", written over a horizontal line.

By: Jason D. Hermersmann
and
James E. Kachelski