

Carrie Janto - WACDL petition to raise appointed rates

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From: Donna Kuchler <dkuchler@gmail.com>
To: <clerk@wicourts.gov>, <carrie.janto@wi.courts.gov>
Date: 4/26/2018 3:13 PM
Subject: WACDL petition to raise appointed rates

I am a criminal defense lawyer and have been a member of the Bar since my graduation in 1996. I am a member of a law firm in Waukesha with 3 attorneys - soon to be 4 attorneys. We also employ 2 secretaries, a receptionist and a law student. It is expensive to operate a law firm. The petition filed by WACDL and pending before the Supreme Court seeks to raise the woefully inadequate \$40.00 per hour rate paid to private attorneys who accept SPD appointments on behalf of indigent defendants. I personally receive emails on a many time per week basis from various SPD offices around the state begging me to accept an appointment in one county or another. I reject these requests due to the inadequate compensation. I certainly would like to accept these appointments as defending the indigent is very important. And I would do so if I was paid a reasonable compensation.

Both the United States Supreme Court and the Wisconsin Supreme Court have clearly ruled the public has the constitutional obligation to provide counsel for indigent people who stand charged with crimes. But in Wisconsin, the unconscionably low statutory rate of \$40.00 paid to private attorneys who accept appointments to provide that representation (which is lower than their overhead) means those attorneys accepting appointments are subsidizing the cost of fulfilling that constitutional obligation.

I have read WI Justice Shortchanged and agree with it. The low rates here have undermined Wisconsin's ability to provide constitutional right to counsel to the indigent. This is an important issue and I ask that the rates be raised to a reasonable rate.

Thank you,
 Donna Kuchler

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