

From: Christopher Paulsen
To: Janto, Carrie; Bergum, Susan
Date: 4/30/2018 8:06 AM
Subject: Fwd: Comment on Petition 17-06

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CLERK OF SUPREME COURT
OF WISCONSIN

>>> "Jeremiah Meyer-O'Day" <meyeroday.j@gmail.com> 4/28/2018 2:11 PM >>>
Dear Clerk,

I write in support of petition 17-06 in my individual capacity as an attorney and concerned citizen. Although I have been in practice for many fewer years than many, if not most, of the other commenters on this petition, I agree with all of the comments submitted in favor of the petition.

I began practicing criminal defense at the outset of my career as a private attorney while working for a small non-profit law firm dedicated to representation of those earning less than 400% of the federal poverty level. From the outset, a significant portion of my caseload consisted of SPD appointments, and as a new attorney, I was grateful for the opportunity to serve my fellow citizens while at the same time gaining valuable trial experience. That said, it quickly became apparent that even with the non-profit firm's far-below market rate fees for other matters, I needed to limit the proportion of my caseload coming from the SPD so as to assure that I could pay my bills.

In the fall of 2015, I became an assistant state public defender and from that point forward began to truly see the adverse impact our State's lowest-in-the-nation compensation rate for appointed attorneys has on the State's obligation to provide the effective assistance of counsel to all those accused of a crime who cannot afford to pay for an attorney at market rates. In my office alone, in Lancaster, WI, we cover four counties, and in those counties, the two which are furthest from Madison are also the two which are most challenging in terms of finding an attorney to represent those we cannot. Individuals accused of a crime can languish for weeks or sometimes even months before we are able to locate an attorney to represent them. I am confident that if this petition were to be granted, these wait times would significantly decrease.

I am currently in process of transitioning back to private practice with a small firm. I will be focusing my practice exclusively on criminal defense, and while I would very much like to take SPD appointments, if the rate remains where it is for such cases, it will be economically impossible for me to take more than a handful of such cases in a year. This is very unfortunate, and while I will take as many appointments as I reasonably can, that number will likely be extremely limited until and unless the rate for appointed counsel is raised to the point that I am not essentially paying for the privilege of taking these often complex cases involving difficult circumstances, significant motions practice, frequent trials, and difficult clients.

I will close by noting that the above comments are my own, and do not necessarily reflect the views of the Office of the State Public Defender. Nonetheless, given the urgency of the crisis, I feel personally obligated to speak up in favor of the petition.

Respectfully submitted,

Atty. Jeremiah W. Meyer-O'Day
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