

**Carrie Janto - Petition to raise the private bar rate for SPD appointments**

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**To:** "clerk@wicourts.gov" <clerk@wicourts.gov>  
**Date:** 4/30/2018 9:22 AM  
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I am writing in support of the pending petition to raise the \$40 per hour private bar rate for SPD appointments. As a past president of the Wisconsin Association of Criminal Defense Lawyers I have been following this issue for many years.

When I was first admitted to practice before this Court in 1991, my first employer allowed me to accept a few SPD appointments at the then \$50 per hour rate for the experience, but no employer thereafter would permit me to do so as this rate was insufficient even then to cover overhead.

Once I became a partner in a Main Street firm, we followed that same practice, allowing only new lawyers to take SPD appointments initially for the experience, as these cases were not just not profitable at the reduced \$40 per hour rate, but would lose money for the firm once overhead was accounted for.

My son, who was six years old when I was admitted in 1991, was admitted to practice before this Court last year. While I am currently permitting him to take appointments for the experience, this will not be tenable long term, as that same \$40 per rate that was insufficient in 1995 has me losing money on his billable time at a pace that is simply unsustainable. The situation is so dire in some parts of the state that my son is being offered cases in northwestern counties of the state even though we are located in the southeast.

Over the years I have accepted Dean appointments at what I would call the break even \$70 per hour rate because I believe that it is important for people without the means to privately retain counsel to have access to representation, but that is not a rate that would keep the doors open, even down here on Main Street. Accepting SPD appointments has simply never been an option for me if I wanted to stay in business.

This Court has the authority to set a sustainable rate, and I would respectfully request that it do so.

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"The great end of justice is to substitute the notion of right for that of violence; and to place a legal barrier between the power of the Government and the use of physical force."

- Alexis de Tocqueville

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