

May 17, 2019

Clerk of the Supreme Court
P.O. Box 1688
Madison, WI 53701

Re: In the Matter of Amendment of Wis. Stat. Sec. 802.05(2m), Filed
May 15, 2019

Dear Honorable Justices:

I am writing in support of the Petition For Rule Making filed by Quarles & Brady, LLP, on May 15, 2019. The Petition requests that the Court amend the Rules of Civil Procedure to restore the important role of ghost writing in limited scope legal representation. I have engaged in pro bono legal work throughout my 36 year career, primarily by staffing the Milwaukee Justice Center (MJC), and providing brief legal advice to a portion of the nearly 10,000 clients MJC served during 2018.

My pro bono work at MJC after the 2018 amendment of Wis. Stat. Sec. 802.05(2m), became unnecessarily complicated by the requirement that I disclose my name and State Bar number on the documents I drafted in the MJC brief legal advice clinic. I am concerned that MJC clients for whom I drafted documents could make edits to documents after I draft them, and before they file them with the court. I also understand the concerns of other pro bono lawyers have caused them not to be willing to draft any documents for low income clients because of the fear that the exposure of their name and State Bar number on the documents could potentially raise future appearances of conflicts of interest in their private practice.

As you well know, legal services are unaffordable for a significant portion of the population of the State of Wisconsin, particularly in Southeastern Wisconsin. The clients I have served at MJC rely upon limited scope representation like ghost writing to gain access to justice. Without it, parties often go wholly unrepresented through the legal process, causing delay, confusion and inefficiency in the court system.

The ghost writing tool gave me, and others who provide pro bono services, the freedom to provide pro bono help in brief legal advice clinics without the above-described worries and

Clerk of the Supreme Court
May 17, 2019
Page Two

impediments. I hope the rule will be restored to allow me and others who engage in this type of pro bono work, to do so again without the constraints of Wis. Stat. Sec. 802.05(2m). Our low income community members who need legal services need this change.

Thank you.

Very truly yours,

HAWKS QUINDEL, S.C.

(Original Signed by Sender)

Katherine L. Charlton

KLC:aeY