



MILWAUKEE JUSTICE CENTER

Milwaukee County Courthouse - Room G9
901 N 9th St. Milwaukee, WI 53233
www.MilwaukeeJusticeCenter.org

Clerk of the Supreme Court
P.O. Box 1688
110 East Main Street, Suite 215
Madison, WI 53701

RE: Petition 19-16 to Amend Wis. Stat. Chapter 802

Dear Honorable Justices:

I am writing in support of Petition 19-16 filed by Quarles & Brady LLP. The Petition requests that the Court amend the Rules of Civil Procedure to restore the important role of ghostwriting in limited scope legal representation.

As Executive Director of the Milwaukee Justice Center, I have firsthand experience with the role this rule plays in sustaining the cadre of over 150 volunteer attorneys doing pro bono work with our self-help center every year.

The vast majority of our clients at the Milwaukee Justice Center are living at or below 125% of the federal poverty level. These are people who cannot afford to hire a private attorney to help with their legal matters. Every year, nearly 2,500 of our clients visit the Marquette Volunteer Legal Clinics operating in the Milwaukee Justice Center. When Supreme Court Rule 20:1.2(cm) (allowing ghostwriting without disclosing one's name or bar number) became in conflict with Wis. Stat. § 802.05(2m) (requiring the lawyer to disclose his or her name and bar number on documents prepared for a client to file with the court), many of our volunteers wondered if the court or opposing party would mistake the brief legal advice attorney for the client's ongoing counsel. Others wondered if the client, who is representing themselves *pro se*, would leave the legal clinic with documents containing the lawyer's name and bar number, only to later edit or amend the lawyer's work without their knowledge. Some lawyers stopped drafting anything for clients. Others, more than we anticipated, stopped volunteering all together.

With lawyers generously giving their time, it is incumbent upon our courts to acknowledge those engaging in the best attributes of our profession—often to the benefits of the courts (fewer claims are filed in courts when parties receive legal advice, and pro se litigants are better prepared when they do proceed with a claim), and restore the role of ghostwriting in limited scope representation.

Respectfully,

/s/ Mary L. Ferwerda

Mary L. Ferwerda, M.S., J.D.
Executive Director