

June 6, 2019

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:

We write to express Legal Action of Wisconsin's strong support of Petition 19-16, filed by Quarles & Brady LLP. The Petition requests that the Court amend the Rules of Civil Procedure to restore ghostwriting in limited scope legal representation.

Our firm and our attorneys are committed to the ideals of the profession. We have consistently provided *pro bono* legal services – including limited scope representation – at Marquette Law School's Volunteer Legal Clinics at the Milwaukee Justice Center, our own Eviction Defense Projects, and other similar projects. We have relied on the Supreme Court Rules of Professional Conduct to provide that limited scope representation including the ghostwriting provision which allowed attorneys to not disclose their name or bar number. This provision allowed our lawyers to give their time and talents free from the worry that they could later be called upon by an opposing party to communicate with a client who received brief legal advice in a clinic setting. When clients leave brief legal advice clinics with a work product that was prepared by volunteer attorneys, the volunteer attorneys have no guarantee that the client will file the work product without altering it. Our lawyers are, understandably, not keen on losing sight of their work, with their name attached to it, before it reaches the court.

The ghostwriting provision was a tool that enabled volunteer lawyers to serve low-income clients without fear of being involved in future matters which may arise from their short-term, limited volunteer legal service. In the limited service volunteer setting, the lawyer and the client do not expect the lawyer to provide continuing representation in the matter. This essential component of limited scope representation should be restored.

Respectfully submitted,

Deedee Peterson  
Executive Director

Jeff Myer  
Director of Litigation and Advocacy