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March 1, 2021

Clerk of the Supreme Court
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Madison, WI 53701
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Re: Supreme Court Rule Petition 20-09

Dear Honorable Justices of the Supreme Court:

I am writing in opposition to Rule Petition 20-09. Other commentators have already discussed how the proposed changes in the Petition are unconstitutional, I write to say the problems the Petition would create outweigh, by far, any possible benefits it would hope to achieve.

Importantly, over the past year Wisconsin's Circuit Courts have been implementing expanded use of videoconferencing without the need for statutory changes. In my experience, this expanded use of videoconferencing has not gone without its fair share of problems. For example, I have seen judges at Status Conferences, frustrated by the poor audio connection of parties appearing before them, simply end the hearing and order the parties to appear in person at another date. This begs the question, what would the judge do if the audio quality dropped during an evidentiary hearing or a jury trial.

In one case, I witnessed a party appearing by videoconferencing raise their middle finger at the judge to express their opinion about the court's decision. I highly doubt that person would have done that if they were personally present in the courtroom, with bailiffs present and the Court's ability to find the person in summary contempt.

Currently, if an attorney appearing by videoconferencing at a routine hearing has a "cat filter" on, the public might enjoy a good laugh. If this Petition is adopted, however, and appearing by videoconferencing at evidentiary hearings becomes the rule (and not the exception it is now) all such humorous incidents suddenly become serious constitutional problems.

Further, if this Petition is adopted, the most litigated post-conviction motion will likely become whether witnesses were coached/manipulated off-screen during their videoconference testimony. In summary, even if the Petition were constitutional, and it is not, the amount of increased legal challenges it will invite outweighs any benefit in efficiency the Petition seeks. Accordingly, I oppose Rule Petition 20-09.

Respectfully,

A handwritten signature in black ink, appearing to read 'Chad A. Lanning', with a long, sweeping horizontal line extending to the right.

Chad A. Lanning