

February 6, 2014

To: The Clerk of the Supreme Court

Re: Support of Petition 13-14 to Amend SCR 60.04

My name is Jeffrey Unger, I am a non-attorney member of the Wisconsin Access to Justice Commission, appointed by the Governor in October 2013 for a three year term. As Wisconsin's Transition Assistance Advisor, I am a federal contractor working in the Wisconsin Department of Military Affairs. I am responsible for serving primarily the 10,000 military service members, veterans and families of the Wisconsin National Guard. In addition, I assist all Wisconsin military families regardless of uniform or era of service with access to benefits, programs and services related to military service. I am also a twenty-one and half year career Air Force combat veteran who is service connected disabled. I am pleased to have this opportunity to present my statement in support of Petition 13-14 to Amend SCR to address self-represented litigants.

As Wisconsin's only Transition Assistance Advisor, I have served thousands of Wisconsin veterans in accessing their rightfully earned and justified veterans benefits, programs and services for more than eight years. Our veteran's population is very diverse and they have unique needs as a result of their military service and sacrifice. It is not uncommon for me to be notified by a veteran's service organization or veteran's service officer of a lower income Wisconsin veteran and/or family in need of legal assistance in civil courts. The overwhelming majority find themselves in court without an attorney because they cannot afford one. There is also a veteran's population whose service connected disability(s) and/or mental health condition(s) make it especially difficult for them to function effectively in court on their own.

For example: I am currently assisting a Wisconsin National Guard Soldier who joined the military in 2006 to serve her community, state, and nation. She divorced in 2007, with the husband receiving custody of their three children, and our veteran received a child support order. She was deployed overseas and was injured while on active duty. She has since been maintained within the Wounded Warrior program for medical rehabilitation and recovery, while still receiving active duty military pay. She has been found medically unfit to continue with military duty and will be medically separated and lose all military pay and allowances. This action will immediately and adversely impact her ability to uphold the court ordered child support. She will then enter the Veterans Administrations service connected disability compensation claims backlog that is a decades old problem. This long arduous task will only delay her mental and physical recovery. In addition, she experiences ongoing disputes with her ex-husband over visitation with their two younger children.

Our veteran's divorce was very litigious and her relationship with her ex-husband today is extremely contentious. She is intimidated by him. She has a strong desire to hire an attorney to represent her for a fair hearing with her civil matters, but cannot afford one. Furthermore, she expects to lose her home and more when the loss of income strikes. The ex-husband has significant income, financial security and strong representation, which leaves our veteran

believing she will lose everything if she attempts to approach the court unrepresented, so she fears starting the process.

I am attempting to locate legal assistance for this veteran, but if I am not successful, she will have to choose between doing nothing, and subsequently violating the child support order, or entering the courtroom alone and still recovering from her injuries. If she goes to court alone, she will not understand what the procedures are and what she needs to prove. This is precisely why I support Petition 13-14: it affirms that Wisconsin judges should exercise the appropriate discretion consistent with the law and court rules to ensure that all litigants, including self-represented litigants, are fairly heard. Not only does this benefit the litigants, it benefits the state and the courts.

Of course, even if I am successful in finding an attorney for this veteran, there remain numerous additional low-income veterans who, lacking legal representation, will find themselves in court alone and in need of the judge to explain the procedure and take other reasonable steps to facilitate a fair hearing for them.

With utmost respect,



JEFFREY C. UNGER