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**RECEIVED**

**APR 30 2018**

Clerk of the Supreme Court  
Attn: Deputy Clerk for Rules  
PO Box 1688  
Madison, WI 53701-1688

VIA EMAIL ONLY

**CLERK OF SUPREME COURT  
OF WISCONSIN**

Re: Rule Petition 17-06, In Re Petition to Amend SCR 81.02

To the Justices of the Supreme Court,

I write to lend my support to the petition, and urge the Court to raise the rate for privately appointed attorneys to SPD cases to \$100 per hour. A strong argument could be made that \$100 is still too low, but I feel that it comes much closer to being adequate versus the current \$40 per hour. Many words and comments have already been directed to this Court, but suffice it to say that \$40 per hour, in 2018, for the work an attorney must put into these cases, falls woefully short of adequate.

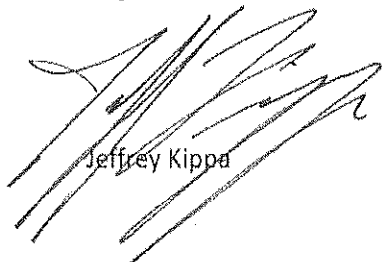
By now the Court appreciates that \$40 per hour does not cover overhead. Because of this, as a solo practitioner, I have not taken an SPD case in a number of years. When surrounded by the amazing attorneys in our state that continue to take these appointments, I get very quiet, even almost ashamed that I do not continue to do so. The truth is that I have staff and a family to support, I cannot afford to run this business at a loss. For years I cut my teeth, as a young attorney, on SPD appointments. I enjoyed the work, but the caseload was unbearable. There is an unfortunate trend that I and others seem to have followed: as a criminal defense attorney I learned the trade on these types of appointments, but once I had the experience that my clients could really benefit from, the practicalities of running an office kicks in and these appointments are no longer financially feasible.

I understand that the finances of a law office may not be sufficient to sway opinion on this matter. The truth is that it affects all the actors in the criminal justice system. The courts not only get bogged down while it takes weeks to find an attorney to appoint on some of these cases; but they continue to be mired down as continuances and adjournments are sought throughout a case because an inadequately prepared lawyer needs to handle way too many clients to make the economics work. I will admit that I sometimes shudder when I think back to how poorly I was prepared back in my days of SPD appointments. It is not for a want of caring or compassion on the parts of the attorneys representing these clients, it is for a want of hours in a day. Oftentimes criminal defendants sit this entire time in jails that are pressed way beyond capacity. I can honestly say that nearly every time I am in front of either a judge or a court commissioner for an initial appearance, I hear numerous requests from people both in and out of the jail for an adjournment because they talked to the SPD office but don't have an attorney appointed yet. The system as a whole is bursting at the seams right now with everything but adequate funding.



I don't mean to pretend that increasing the assigned counsel rate alone will adequately cure all of the woes that face our criminal justice system, but I know that it will help. I know it will help a lot. Please take this important first step. Thank you.

Regards,



Jeffrey Kippa

JPK/ser