

## 2007 DRAFTING REQUEST

### Assembly Joint Resolution

Received: 02/14/2007

Received By: **smiller**

Wanted: **Soon**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Kurt Simatic**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.wisconsin.gov**

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Prohibit assessing lawyers for indigent legal fees

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#### Instructions:

See Attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 02/15/2007	wjackson 02/15/2007		_____			
/1			pgreensl 02/16/2007	_____	mbarman 02/16/2007	cduerst 02/16/2007	

FE Sent For:

<END>

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/?	smiller	1 NJ 2/15	2/16 PS	2/16 PS JK			

FE Sent For:

<END>

1949/1

LRB 1727/1

SRM:wlj:wnw

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stays

# 2007 ASSEMBLY JOINT RESOLUTION

SOON

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**To create** section 3 (4) of article VII of the constitution; **relating to:** prohibiting assessing attorneys licensed to practice law in this state <sup>to</sup> for indigent legal fees, ~~prohibiting requiring those attorneys to become members of the State Bar of Wisconsin, and prohibiting requiring those attorneys to pay dues to any bar association~~ (first consideration).

### ***Analysis by the Legislative Reference Bureau***

Currently the supreme court by rule requires all practicing attorneys to belong to the State Bar of Wisconsin and to pay bar dues. A portion of the bar dues is used to provide legal services to the indigent.

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, prohibits the supreme court from assessing attorneys licensed to practice law in this state for indigent legal fees and from requiring those attorneys to become members of the State Bar of Wisconsin or to pay dues to any bar association.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

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7

***Resolved by the assembly, the senate concurring, That:***

**SECTION 1.** Section 3 (4) of article VII of the constitution is created to read:

indigent legal fees to

1 [Article VII] Section 3 (4) The supreme court may assess attorneys licensed to  
2 practice law in this state for the cost of their regulation, but the court may not assess  
3 those attorneys to pay the cost of legal services for the indigent, ~~nor may the court~~  
4 ~~require those attorneys to become members of the state bar of Wisconsin or pay dues~~  
5 ~~to any bar association.~~

6 **SECTION 2. Numbering of new provision.** The new subsection (4) of section  
7 3 of article VII of the constitution created in this joint resolution shall be designated  
8 by the next higher open whole subsection number in that section in that article if,  
9 before the ratification by the people of the amendment proposed in this joint  
10 resolution, any other ratified amendment has created a subsection (4) of section 3 of  
11 article VII of the constitution of this state. If one or more joint resolutions create a  
12 subsection (4) of section 3 of article VII simultaneously with the ratification by the  
13 people of the amendment proposed in this joint resolution, the subsections created  
14 shall be numbered and placed in a sequence so that the subsections created by the  
15 joint resolution having the lowest enrolled joint resolution number have the numbers  
16 designated in that joint resolution and the subsections created by the other joint  
17 resolutions have numbers that are in the same ascending order as are the numbers  
18 of the enrolled joint resolutions creating the subsections.

19 ***Be it further resolved, That*** this proposed amendment be referred to the  
20 legislature to be chosen at the next general election and that it be published for 3  
21 months previous to the time of holding such election.

22 (END)

prohibiting assessing indigent legal fees to  
attorneys licensed to practice law in this state

**Duerst, Christina**

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**From:** Simatic, Kurt  
**Sent:** Friday, February 16, 2007 2:29 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-1949/1 Topic: Prohibit assessing lawyers for indigent legal fees

Please Jacket LRB 07-1949/1 for the ASSEMBLY.