



STATE REPRESENTATIVE
FREDERICK P. KESSLER

WISCONSIN STATE ASSEMBLY

12TH DISTRICT

MEMO

Date: December 19, 2016

To: 2016 Legislative Council Study Committee on Access to Civil Legal Services

From: Wisconsin State Representative Frederick P. Kessler

Re: LRB-0882/1—Allowing DAs, DDAs, and ADAs to do pro bono legal work

Dear Representative Horlacher (Chair), Senator Stroebel (Vice-Chair), and Committee Members:

Thank you for the opportunity to speak to the committee about this very important issue.

I will once again introduce legislation that will allow District Attorneys, Deputy District Attorneys, and Assistant District Attorneys to engage in the private practice of law for certain civil purposes. Currently under state law, it is impermissible for such attorneys to formally engage in private legal matters. For example, a DA cannot assist a low-income elderly person in writing a will, provide legal advice to a disabled person on ADA accommodations, help a parent with the legal work to adopt a child, volunteer at the Veterans Law Center at the University of Wisconsin Law School, or with other matters involving their church or child's school. In short, under current law, District Attorneys **CANNOT** do pro bono legal work.

With the passage of LRB-0882/1, a District Attorney, Deputy District Attorney, or Assistant District Attorney will be allowed to provide legal services to a person of limited means or to a charitable, religious, civic, community, governmental, or educational organization if the attorney provides the services without a fee and the services are not in conflict with the interests of the district attorney's county.

Let me be clear, this proposal **DOES NOT** create a mandatory requirement that a District Attorney, Deputy District Attorney, or Assistant District Attorney do pro bono legal work. It simply permits those attorneys to provide additional services if they are willing and/or able to do so.

Sincerely,

A handwritten signature in black ink that reads "Frederick P. Kessler".

FREDERICK P. KESSLER

State Representative
12th Assembly District