



# Supreme Court of Wisconsin

Office of Lawyer Regulation  
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CLERK OF SUPREME COURT  
OF WISCONSIN

Director  
Timothy C. Samuelson

Trust Account Program

Program Administrator  
Travis J. Stieren

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March 2, 2023

Clerk of Supreme Court  
Attention: Susan Stephens, Deputy Clerk-Rules  
P.O. Box 1688  
Madison, WI 53701-1688

Re: Rule Petition 22-05, In the Matter of amendment of Supreme Court Rules 20:1.15  
and 20:1.0, Relating to Electronic Banking

Dear Ms. Stephens:

The Supreme Court, in considering rule petition 22-05, raised questions regarding the language of proposed SCR 20:1.15(f)(1) as it relates to shortfalls in trust accounts caused by chargebacks, reversals, and surcharges. In response, OLR proposes that SCR 20:1.15(f)(1) be amended as follows:

**(f) Security requirements and restricted transactions.**

**(1) Security of transactions.** A lawyer is responsible for the security of each transaction in the lawyer's trust account and shall not conduct or authorize transactions for which the lawyer does not have commercially reasonable security measures in place. A lawyer shall establish and maintain safeguards to assure that each disbursement from a trust account has been authorized by the lawyer and that each disbursement is made to the appropriate payee. Every check, draft, electronic transfer, or other withdrawal instrument or authorization shall be personally signed or, in the case of electronic, telephone, or wire transfer, directed by one or more lawyers authorized by the law firm or a person under the supervision of a lawyer having responsibility under SCR 20:5.3. A lawyer shall reimburse the trust account for any shortfall or negative balance caused by a chargeback, surcharge, or ACH reversal by a financial institution or card issuer within three business days of receiving actual notice that a chargeback, surcharge, or ACH reversal has been made against the trust account; and the lawyer shall reimburse the trust account for any shortfall or negative balance caused by a chargeback, surcharge, or ACH reversal prior to disbursing funds from the trust account.

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We are able to distribute amended appendices upon request. Thank you for your consideration.

Very truly yours,

Handwritten signature of Timothy C. Samuelson in black ink, followed by the initials "/smb".

Timothy C. Samuelson  
Director

Handwritten signature of Travis J. Stieren in black ink.

Travis J. Stieren  
Trust Account Program Administrator

TCS:TJS:jmb

cc: Commissioner Timothy M. Barber (Tim.Barber@wicourts.gov)  
Attorney Timothy J. Pierce (tpierce@wisbar.org)