



# Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

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MADISON, WISCONSIN 53703

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Commissioners

Telephone (608) 266-7442

March 21, 2017

**To: Interested Persons – See Attached List**

Re: Rule Petition 16-09, In re the Matter of the Petition to Amend SCR 40.05

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 16-09 filed November 25, 2016, by President Shannon Holsey, on behalf of the Stockbridge-Munsee Community. This petition proposes amending SCR 40.05 to allow any legal services with any federally recognized Indian tribe be "counted" for purposes of SCR 40.05(1)(b), provided the applicant shows proof of bar admission, in good standing, in the state in which the federally recognized tribe is located. A copy of this petition can be found on the court's website at <https://www.wicourts.gov/scrules/supreme.htm>.

At the open rules conference on January 12, 2017, the court conducted a preliminary discussion of this matter and voted to obtain additional information from the petitioner and from the Board of Bar Examiners (BBE). Those responses were filed on March 10, 2017. This matter will be placed on the court's April 20, 2017 open rules conference agenda for preliminary discussion. The court will accept written comments on the petition received prior to that discussion. Comments received by April 7, 2017 will be considered by the court as part of its preliminary discussion. If the court schedules a public hearing on this petition, the comment period will be extended. Please note, the court may take any action on a rule petition it deems appropriate, including any of the following:

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (c) Circulate the rule petition for comment without a public hearing.
- (d) Schedule the rule petition for public hearing.
- (e) Refer the rule petition to another entity for its review and recommendation.
- (f) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. If possible, email a Microsoft Word version of your response to [clerk@wicourts.gov](mailto:clerk@wicourts.gov). See comment guidelines at the court's

website at <https://www.wicourts.gov/scrules/petitioncomment.htm>. The petitioner and the BBE may file any response to the comments.

You might wish to consult the court's website at <https://www.wicourts.gov/scrules/supreme.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office will be posted on the website.

If you have specific questions or other comments regarding this matter, please contact me by mail at Post Office Box 1688, Madison, WI 53701-1688, by telephone at (608) 261-6642, or by email at [julie.rich@wicourts.gov](mailto:julie.rich@wicourts.gov).

Very truly yours,

/s/

Julie Anne Rich

Supreme Court Commissioner

cc: Chief Justice Patience Drake Roggensack  
Justice Shirley S. Abrahamson  
Justice Ann Walsh Bradley  
Justice Annette Kingsland Ziegler  
Justice Michael J. Gableman  
Justice Rebecca Grassl Bradley  
Justice Daniel Kelly  
Shannon Holsey, Stockbridge-Munsee Community  
Dennis Puzz, Jr., Stockbridge-Munsee Community  
Jacquelynn B. Rothstein, Board of Bar Examiners  
Ann Olson, Office of Court Operations

**List of Interested Persons for Supreme Court Rules Matters**

Badger State Sheriffs Association, Attention: Executive Director  
Board of Bar Examiners  
Chief Circuit Court Judges  
Christian Gossett, Winnebago County District Attorney  
Circuit Court Judges  
Court of Appeals, Attention: Chief Staff Attorney  
Court of Appeals Judges  
Court Operations, Sara Ward-Cassady, Director  
Court Operations, Ann Olson  
Court Operations, Marcia Vandercook  
Dean Dietrich, Attorney (Wausau)  
Diane M. Fremgen, Clerk of Supreme Court  
Director of State Courts  
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director  
League of Women Voters: Andrea Kaminski, Executive Director  
Legal Action of Wisconsin  
Legal Aid Society of Milwaukee, Attention: Kimberly Walker, Executive Director  
Marquette Law School, Attention: Joseph D. Kearney  
Office of Lawyer Regulation, Attention: Keith Sellen, Director  
Office of State Public Defender, Attention: Kelli S. Thompson  
Office of the Attorney General, Attention: Brad D. Schimel  
Jeremy C. Perri, Attorney  
State Bar of Wisconsin, Attention: George Brown, Executive Director  
State Bar of Wisconsin, Attention: Lisa Roys, Public Affairs Director  
State Bar of Wisconsin, Attention: Francis Deisinger, President  
State Bar of Wisconsin, Attention: Mary Spranger, WisLap  
Steven Levine, Attorney  
U.W. Law School, Attention: Margaret Raymond  
Western District Bar Association of Wisconsin, Attention: Matthew Duchemin  
Wisconsin Asian Bar Association, Attention: Robin Dalton  
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director  
Wisconsin Association of African American Lawyers, Attn: Steven DeVougas  
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever  
Wisconsin Association of Judicial Court Commissioners, Attention: Susan Schaubel  
Wisconsin Bankers Association, Attention: Attorney John Knight  
Wisconsin Bankers Association, Attention: Rose Oswalk Poels, CEO  
Wisconsin Clerks of Circuit Court Association, Attention: Carlo Esqueda  
Wisconsin Counties Association, Attention: Marcia Rainbolt  
Wisconsin Defense Counsel, Attention: Jane Svinicki, Executive Director  
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director  
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Exec. Secretary  
Wisconsin Hispanic Lawyers Association, Attention: Cain W. Oulahan  
Wisconsin Judicare, Inc., Attention: Kimberly Haas, Executive Director  
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke  
Wisconsin Judicial Council, Attention: April Southwick  
Wisconsin Juvenile Court Clerks Association, Attention: Jody J. Bartels  
Wisconsin Municipal Judges Association, Attention: Honorable Scott Letteney  
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director  
Wisconsin Registers in Probate Association, Attention: Julie Kayartz  
Wisconsin Sheriff & Deputy Sheriff Association, Attention: David Graves, Exec. Director

Wisconsin State Attorneys Association, Attention: John Gelhard  
Wisconsin Trial Judges Association, Attention: Honorable Mary M. Kuhnmuench  
Wisconsin Tribal Judges Association, Attention: Eugene White-Fish, President

**Additional Interested Persons**

Paul W. Stenzel, Attorney