



# Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

110 E. MAIN STREET, SUITE 440

MADISON, WISCONSIN 53703

Nancy A. Kopp  
Julie A. Rich  
David W. Runke  
Mark A. Neuser  
Commissioners

Telephone (608) 266-7442

September 30, 2019

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

Re: Rule Petition 19-11, In the Matter of the Petition of the OLR Process Review Committee's Subcommittee on Charging Process for an Order Creating Supreme Court Rules 22.02(6)(d), 22.05(1)(e), and 22.11(2)(b) and (c), repealing Supreme Court Rule 22.10(7)(b) and (c), Amending Supreme Court Rules 22.02(4) and (6)(a), 22.05(2), and 22.10(4), and Renumbering and Amending Supreme Court Rules 22.10(7)(a) and 22.11(2) (OLR Charging Process)

Greetings:

In 2016, the Wisconsin Supreme Court established a committee to review Office of Lawyer Regulation (OLR) procedures and structure ("Committee"), and directed the Committee to report to the Court recommendations that would increase the efficiency, effectiveness, and fairness of the OLR process. The Honorable Gerald P. Ptacek was appointed as the Committee's chair. In October 2018, the Committee forwarded its final report to the Court. On March 13, 2019, the Committee filed nine administrative rule petitions, proposing various changes to existing OLR rules and procedures. This letter pertains to one of those rule petitions.

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 19-11 filed March 13, 2019, by Judge Ptacek, Chair, on behalf of the Committee, and by Paul Schwarzenbart, Chair, of the Charging Process Subcommittee. This petition asks this court to modify its rules to improve communications between the OLR and grievants, streamline the procedures applicable to consent reprimands and to alleged breaches of a diversion agreement.

You have received this letter because you or your agency or organization has been identified as potentially having an interest in this matter. A copy of the petition can be found on the court's website at <https://www.wicourts.gov/scrules/pending.htm>.

At the closed rules conference on June 6, 2019, the court conducted a preliminary discussion of this matter and voted to obtain written comments and schedule a public hearing. The public hearing will be conducted on December 9, 2019. 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.
- (d) Refer the rule petition to another entity for its review and recommendation.
- (e) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed by October 28, 2019, 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*. See comment guidelines at the court's website at <https://www.wicourts.gov/scrules/petitioncomment.htm>. The petitioners may file any response to the comments by November 12, 2019.

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 P.O. Box 1688, Madison, WI 53701-1688, by telephone at 608-261-6642, or by email at *julie.rich@wicourts.gov*.

Very truly yours,

/s/

Julie Anne Rich

Supreme Court Commissioner

cc: Chief Justice Patience Drake Roggensack  
Justice Ann Walsh Bradley  
Justice Annette Kingsland Ziegler  
Justice Rebecca Grassl Bradley  
Justice Daniel Kelly  
Justice Rebecca Frank Dallet  
Justice Brian K. Hagedorn  
Judge Gerald P. Ptacek  
Paul Schwarzenbart, Chair, Charging Process Subcommittee

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

Badger State Sheriffs Association, Attention: Executive Director  
Board of Administrative Oversight, Attention: Joseph M. Russell, Chair  
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  
Deputy Director of Court Operations, Diane M. Fremgen  
Court Operations, Kat Carpenter  
Court Operations, Ann Olson  
Court Operations, Krista Miller  
Dean Dietrich, Attorney  
Clerk of Supreme Court and Court of Appeals, Sheila T. Reiff  
Director of State Courts, Honorable Randy Koschnick  
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director  
Hamilton Consulting Group, Attention: Andrew C. Cook, Paige Scobee,  
Rebecca Hogan, and R.J. Pirlot  
Legal Action of Wisconsin, Attention: David Pifer, Executive Director  
Legal Aid Society of Milwaukee, Attention: Colleen Foley, Executive Director  
Marquette University 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 State Public Defender, Attention: Jeremy C. Perri  
Office of the Attorney General, Attention: Terri Surita  
State Bar of Wisconsin, Attention: Larry Martin, Executive Director  
State Bar of Wisconsin, Attention: Lisa Roys, Public Affairs Director  
State Bar of Wisconsin, Attention: Jill M. Kastner, President  
Steven Levine, Attorney  
University of Wisconsin Law School, Attention: Margaret Raymond  
Western District Bar Association of Wisconsin, Attention: Ann Peacock  
Wisconsin Asian Bar Association, Attention: Robin Dalton  
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director  
Wisconsin Association of African American Lawyers, Attn: Jessica Butler  
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: Kristin Clevon, Vice President-Legal  
Wisconsin Clerks of Circuit Court Association, Attention: Penny Carter  
Wisconsin Counties Association, Attention: Marcie Rainbolt  
Wisconsin Defense Counsel, Attention, Jenni Kilpatrick, Executive Director, and  
Christine Rice, President  
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director  
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Exec. Secretary  
Wisconsin Hispanic Lawyers Association, Attention: Cynthia Herber  
Wisconsin Judicare, Inc., Attention: Kimberly Haas, Executive Director  
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke  
Wisconsin Judicial Council, Attention: Thomas W. Bertz  
Wisconsin Juvenile Court Clerks Association, Attention: Samuel Christensen  
Wisconsin Municipal Judges Association, Attention: Honorable Robert Kupfer  
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director

Wisconsin Registers in Probate Association  
Wisconsin Sheriffs & Deputy Sheriffs Association, Attention: Sandy Schueller  
Wisconsin State Attorneys Association, Attention: John Gelhard  
Wisconsin Trial Judges Association, Attention: Honorable Gregory Gill, Jr.  
Wisconsin Tribal Judges Association, Attention: Honorable Eugene White-Fish, President

\*\*\*\*\*

Additional Interested Persons

Gerald P. Ptacek, Chair, OLR Procedure Review Committee  
Jacquelynn B. Rothstein, Chair, Reinstatement and Referees Subcommittees  
Paul Schwarzenbart, Chair, Charging Process Subcommittee  
Marsha Mansfield, Chair, OLR Process Subcommittee  
Joseph Ranney, Chair, Confidentiality Subcommittee