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September 15, 2015

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Greetings:

I write in support of Supreme Court Petition 15.01 which provides for a periodic review of the Lawyer Regulation System in Wisconsin.

Having served as a retained counsel from time to time for the Board of Attorneys Professional Responsibility and more recently for the Office of Lawyer Regulation, I believe it makes sense to periodically review such regulation so that any improvements that are deemed necessary can be made.

For one example, SCR 22.16(6) provides that within 30 days after the conclusion of the hearing or the filing of the hearing transcript, whichever is later, the Referee shall file with the Supreme Court a report setting forth findings of fact and conclusions of law regarding the respondent's misconduct, if any, and a recommendation for dismissal of the proceeding or the imposition of specific discipline.

As a practical matter, at the conclusion of a contested disciplinary hearing, one or both counsel may seek the Referees approval to submit a post hearing brief. Sometimes Referees invite proposed findings of fact and conclusions of law to be submitted. Counsel commonly want to have the hearing transcript available when they draft their brief or the proposed findings of fact and conclusions of law to make sure they are accurate. When the Referee permits such filings and establishes a briefing schedule, the 30 day deadline in SCR 22.16(6) is not realistic. Rather than have Referees themselves violate this SCR, it may make sense to consider revising such language.

I appreciate the opportunity to provide input on this petition.

Very truly yours,

DALLENBACH, ANICH & WICKMAN, S.C.



Matthew F. Anich

MFA/rc