
**In the Matter of the Petition to
Amend Supreme Court Rule (SCR)
Chapter 10, Regarding Conduct of
Voting in State Bar Elections and Referenda**

PETITION

19- _____

This rule proposal comes before the Wisconsin Supreme Court pursuant to SCR 10.13 Amendment. The State Bar of Wisconsin petitions the Wisconsin Supreme Court for the modification of SCR 10.08 Referendum procedure to accompany modifications to the State Bar's bylaws. The purpose of these amendments is to facilitate voting for elections of State Bar officers and members of the Board of Governors and subsequently referenda by electronic means.

SCR 10.05 references State Bar of Wisconsin bylaws as governing procedures by which the State Bar conducts its elections¹. However, SCR 10.08 affecting the mode by which referenda are conducted references mailing of ballots to State Bar active members at the time of officer elections.

The proposed amendments do not affect the rules governing referenda with the exception of the use of electronic ballots. The State Bar of Wisconsin proposes amendments as follows:

SECTION 1. Supreme Court Rule 10.08(4), is amended to read as follows:

SCR 10.08 **Referendum procedure.** (4) Governors may initiate. The board of governors may, by the affirmative vote of two-thirds of its membership, refer to the active members of the association for determination by ~~mail~~ ballot any appropriate question of public policy, as provided in sub. (3).

SECTION 2. Supreme Court Rule 10.08(9), is amended to read as follows:

SCR 10.08(9) Publication of question. As to all questions to be submitted to the members by referendum, space in a reasonable amount shall be provided to both the proponents and the opponents of the proposition. This space shall be made available without charge in the state bar's official publication one month prior to ~~mailing~~ distribution of the referendum ballots or in another state bar ~~mailing~~ distribution to all

¹ SCR 10.05 **Board of governors.** (3) Term; qualifications; nomination and election. . . .

“Nominations and elections of members of the board of governors shall be conducted in accordance with the provisions of the bylaws.”

eligible voters. State bar mailing lists shall be equally available at the same costs to both proponents and opponents of any referendum.

SECTION 3. Supreme Court Rule 10.08(10), is amended to read as follows:

SCR 10.08(10) Conduct of election. The ~~mailing~~ distribution of the ballots, the return of the ballots, the counting of the ballots and the reporting of the results shall be conducted in the same manner as set forth in article 3, sections 4 through 8 of the bylaws for the election of the board of governors.

A memorandum setting forth the reasons for this petition is attached.

Respectfully submitted this ____ day of _____, 2019

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