

# REGULATION OF THE LEGAL PROFESSION IN WISCONSIN

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FISCAL YEAR 2006-2007

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## Report of the Lawyer Regulation System



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ANNUAL REPORT  
FISCAL YEAR 2006-2007

**Introduction**

Pursuant to Supreme Court Rule (SCR) 21.03(6)(n) and 21.10(2)(e), the Office of Lawyer Regulation and Board of Administrative Oversight are filing this fiscal year 2006-2007 report on the lawyer regulation system. This report is the seventh report filed under the new regulation system, which became effective on October 1, 2000. This past year, the system reduced the number of pending matters. Processing times improved from the previous year, even as many older matters were completed. The Supreme Court completed its review of new ethics rules and ordered the new rules, including a new trust account rule, into effect beginning July 1, 2007.

**Composition of the Lawyer Regulation System**

“The lawyer regulation system is established to carry out the Supreme Court’s constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin.” SCR Chapter 21, Preamble. The composition and organization of the lawyer regulation system is depicted in Appendix 1. The persons currently serving in these organizations are identified in Appendix 2. Following is a description of the components.

*Supreme Court*

The Supreme Court supervises the lawyer regulation system, determines attorney misconduct and medical incapacity, and imposes discipline or directs other appropriate action in proceedings filed with the Court.

*Office of Lawyer Regulation*

The Office of Lawyer Regulation (OLR) consists of the Director, investigative and support staff, litigation counsel, and retained counsel. The office has the following duties.

- To receive and to respond to inquiries and grievances relating to attorneys.
- To investigate allegations of attorney misconduct or medical incapacity.
- To divert matters into an alternative to discipline program.
- To prosecute misconduct or medical incapacity proceedings.
- To investigate license reinstatement petitions.

*District Committees*

District Committees exist in each of the sixteen state bar districts, and consist of lawyers and public members appointed by the Supreme Court. District Committees perform the following duties under the supervision of the Director.

- To educate the bar and the public about the legal profession and ethical practice of law.
- To refer to the Director possible misconduct or medical incapacity matters.
- To assist in the investigation of possible misconduct or medical incapacity.
- To recommend to the Director the appropriate disposition of matters it investigated.

- To monitor an attorney's participation in an alternatives to discipline program or an attorney's compliance with conditions on practice.
- To assist in resolving minor disputes between an attorney and a client.

#### *Preliminary Review Committee*

The Preliminary Review Committee consists of fourteen members, nine lawyers and five public members appointed by the Court. The Committee is comprised of two seven-member panels, each having at least four lawyers and at least two public members. The panels have the following duties.

- To review the results of OLR and District Committee investigations and to determine whether there is cause to proceed in the matter.
- To review, upon request by a grievant, decisions by the Director to dismiss a grievance after investigation.
- To confer with the Board of Administrative Oversight and to suggest improvements in the operation of the Committee and its panels.

#### *Board of Administrative Oversight*

The Board of Administrative Oversight consists of twelve members, eight lawyers and four public members appointed by the Court. The Board has the following duties.

- To monitor the fairness, productivity, effectiveness, and efficiency of the system.
- To monitor the implementation of new procedures.
- To assess public and bar perceptions of the integrity of the system.
- To report its findings to the Supreme Court.
- To review the operation of the system with the Court, and to file an annual report.
- To propose substantive and procedural rules.
- To inform and educate the public and bar about the system.
- To propose an annual budget.

#### *Special Investigative Panel*

The Special Investigative Panel is composed of lawyers appointed by the Supreme Court who are not currently participating in the lawyer regulation system. The Director refers allegations of misconduct against attorneys currently participating in the system to a special investigator. In a referred matter, the special investigator performs the functions that the Director would normally perform, which may include evaluating, investigating, dismissing, diverting, or prosecuting the matter.

#### *Special Preliminary Review Panel*

The Special Preliminary Review Panel is composed of four lawyers and three public members appointed by the Supreme Court. In matters involving allegations against current participants in the lawyer regulation system, the panel reviews the special investigator's decision to close a matter without investigation or dismiss a matter after investigation, and reviews an investigative report to determine whether there is cause to proceed.

## *Referees*

Referees are attorneys or reserve judges appointed by the Supreme Court to perform the following duties.

- To conduct hearings in proceedings alleging misconduct or medical incapacity.
- To conduct hearings on petitions for license reinstatement.
- To review consensual public or private reprimands submitted by the Director.
- To review, upon the request of a grievant, determinations by Preliminary Review Panels of no cause to proceed.

## **Overview of the Lawyer Regulation System**

The Wisconsin Supreme Court created the lawyer regulation system to carry out the Court's constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin. The Court has adopted standards of professional conduct for attorneys. The Court confers the privilege to practice law on an attorney conditioned on his or her compliance with those standards. SCR 21.15(2). A failure to comply with the Court's standards may constitute misconduct or may be evidence of a medical problem.

The Director of the Office of Lawyer Regulation (OLR) is required to investigate any possible misconduct or medical incapacity of an attorney licensed to practice in the State of Wisconsin. SCR 21.03(6)(a). Communications with OLR alleging lawyer misconduct are privileged, and no lawsuit predicated on those communications may be instituted against any grievant or witness. SCR 21.19. Attorneys and grievants may consult with and be represented by counsel at any stage of an investigation. Prior to the filing of a formal complaint or petition, all papers, files, transcripts and communications in an OLR investigation must be kept confidential by OLR. SCR 22.40(1). OLR may, however, provide relevant information to the respondent and the grievant. SCR 22.40(2). Although the Supreme Court Rules provide no sanction for disclosure of a grievance by the respondent or the grievant, OLR requests that those involved in an OLR investigation keep confidential all documents generated by the investigation.

Initially, OLR staff screens all inquiries and grievances concerning attorney conduct. If the allegations made are not within OLR's jurisdiction, or if the allegations are not supported by a sufficient factual basis, staff will close the file. The grievant may make a written request for the Director's review of the closure. The Director's decision is final. After preliminary evaluation, staff may also forward the matter to another agency; attempt to reconcile the matter between the grievant and attorney if it is a minor dispute; or refer the matter to the Director for diversion or investigation. Before or after investigation, the Director may divert the matter to an alternative to discipline program, providing that nothing more than minor misconduct is involved, the respondent agrees, and the respondent is eligible to participate. Alternatives to discipline are usually educational programs or monitoring arrangements designed to assist an attorney in improving the quality of his or her practice.

If the grievance sets forth sufficient information to support an allegation of a violation of Chapter 20 of the Supreme Court Rules, OLR staff may initiate an investigation. OLR staff will send a letter to the respondent enclosing the grievance and requesting a response within 20 days. In most instances, staff will forward the attorney's response to the grievant for comments. When

OLR staff has completed the preliminary investigation, the Director will determine whether: (a) an uncontested violation exists; (b) the grievance should be dismissed for lack of merit; (c) further staff investigation is needed; or (d) the matter should be assigned to a district investigative committee for further investigation, pursuant to SCR 22.04(1).

If the grievance is further investigated by staff or a district committee, the respondent and the grievant will be kept advised about the investigation. The committee chairperson can assign the matter to one of the committee's investigators. Pursuant to SCR 22.04(2), the respondent may request a substitution of a district committee investigator within 14 days of receiving notice of the assignment of the investigator. The respondent shall be granted one such substitution as a matter of right, and any other requests for substitution shall be granted by the committee chairperson for good cause shown. If the committee decides to take sworn testimony regarding a grievance at an investigative meeting, the respondent and the grievant will receive timely notice of the meeting. Committee members elicit pertinent information from witnesses at such a meeting. In any matter referred to committee, the committee will prepare a report summarizing the facts and potential disciplinary violations. That report will be sent to the respondent and grievant for comment.

After the investigation is completed by staff and/or a committee, the Director may dismiss the matter for lack of sufficient evidence of cause to proceed, divert the matter to an alternatives to discipline program, obtain respondent's consent to a private or public reprimand, or present the matter to the Preliminary Review Committee for a determination of whether there is cause to proceed. In those cases in which the Director dismisses, the grievant has 30 days after receiving written notice of the dismissal to make a written request for review of the decision by the Preliminary Review Committee. The decision of the Preliminary Review Committee is final.

If, after the investigation is completed, the Director does not dismiss the grievance, seek a consent reprimand, or divert the matter, OLR staff will prepare an investigative report and provide a copy to the grievant and to the respondent for comment. [In cases in which a district committee investigates a matter, its report will serve as the investigative report.] The grievant and the respondent may submit a written response to the report no later than ten days following receipt of the report.

The Director may then submit the results of the investigation to the Preliminary Review Committee. The Preliminary Review Committee determines whether the evidence presented supports a reasonable belief that an attorney has engaged in misconduct or has a medical incapacity that may be proved by clear, satisfactory and convincing evidence. SCR 22.001(2). If the Preliminary Review Committee dismisses the matter, the grievant has 30 days after being notified of the dismissal to file a written request for review of that decision. The Supreme Court will select a referee to review the matter, and the referee's decision is final.

If the Preliminary Review Committee determines that the Director has established cause to proceed, the Director may file a complaint with the Supreme Court alleging misconduct. OLR, rather than the grievant, is the complainant in such a matter. If the Director files a complaint, an answer is required within 20 days of service of the complaint. Upon proof of service, the Supreme Court appoints a referee to hear the matter pursuant to SCR 22.13(3). The referee holds a scheduling conference to define the issues and to determine the extent of discovery. The referee then presides at a public hearing which is conducted as a trial of a civil action to the court. SCR 22.16. OLR must prove misconduct or medical incapacity by clear, satisfactory and convincing evidence. SCR 22.38.

Within 30 days after the conclusion of the hearing, the referee will submit his or her report to the Supreme Court, including findings of fact, conclusions of law, and a recommendation of dismissal or imposition of discipline. OLR or a respondent may file an appeal of the referee's report within 20 days after the report is filed. If no appeal is timely filed, the Supreme Court reviews the referee's report and determines appropriate discipline in cases of misconduct and appropriate action in cases of medical incapacity. The Court may, on its own motion, order the parties to file briefs. Either the respondent or OLR may file a motion for reconsideration of the Supreme Court's decision within 20 days of the filing of the decision by the Court. The filing of a motion for reconsideration does not stay enforcement of the judgment. The Supreme Court's final dispositions of disciplinary and medical incapacity proceedings are published in the *Wisconsin Reports* and in *The Wisconsin Lawyer*.

## **The Year in Review**

### *Significant Lawyer Regulation System Developments*

The system reduced its caseload this year. At the end of the fiscal year, there were a total of 619 matters (including 288 formal investigations), down from 817 (including 332 formal investigations) at the end of last year.

The average processing time for intake matters increased from 59 days last year to 61 this year. The average processing time for formal investigations decreased from 399 days last year to 357 this year. Overall average processing time decreased from 201 days last year to 163 days this year. The percentage of matters completed within 90 days increased from 63 last year to 66 this year. The percentage of matters completed within 180 days increased from 76% last year to 80% this year.

The improved processing time occurred with a reduction in the number of older matters during the past year. The number of matters over a year old declined from 236 to 216; the number of formal investigations from 332 to 288. The system is adequately resourced to keep pace with new matters. As a result, the system should continue to improve its timeliness.

The Supreme Court met with the Board of Administrative Oversight, the Preliminary Review Committee, Special Investigators, and the Special Preliminary Review Panel on March 20, 2007, to discuss current developments in the lawyer regulation system. This year, the Court completed its consideration of a petition by the Wisconsin Ethics 2000 Committee for changes to the Rules of Professional Conduct for Attorneys and ordered the new rules into effect on July 1, 2007. The Court also adopted a new trust account rule effective July 1, 2007.

The Preliminary Review Committee elected Attorney Michael Anderson of Madison chairperson and Reverend Steven Gjerde of Wausau vice chairperson. The Committee met to consider matters on September 15, 2006, December 8, 2006, January 26, 2007, March 9, 2007, and June 15, 2007. The Committee considered whether cause to proceed existed in 368 matters, and reviewed the Director's dismissals in 9 matters. The Board and Office of Lawyer Regulation appreciate the Committee's exceptional service this past year. Committee meetings will continue quarterly.

The Board of Administrative Oversight elected Attorney Ann Ustad Smith of Madison chairperson and Attorney Terry Rose of Kenosha vice chairperson. The Board held meetings on

September 8, 2006, December 1, 2006, March 2, 2007 and June 22, 2007. The Board made recommendations concerning revisions to the trust account rule and considered several issues relating to sanction policies. The Board continues to monitor carefully the processing of matters, the effective use of district committees, and other initiatives affecting the fairness and effectiveness of the lawyer regulation system.

The Board assesses perceptions of the regulation system through a questionnaire that is sent periodically to grievants and respondents after the grievance is resolved. The response rate is approximately 4% for grievants and 8% for respondents. While perceptions generally relate to the outcome of the grievance, the questionnaire responses provide helpful information. The Board will continue to monitor trends in these perceptions.

The District Committees continue to make a valuable contribution to the system, and are instrumental in resolving matters requiring a depth and breadth of legal and other professional expertise. While referring matters to committee involves a significant commitment of time and talent, the results are beneficial and worth the commitment. Improvements in training and in the management of cases have increased their effectiveness. Processing times have been improving over the past four years. Training sessions were held in Wausau and Milwaukee. The chairpersons met with the director in May to discuss further improvements in operations.

Special Investigators and the Special Preliminary Review Panel process matters involving allegations against attorneys who serve with the regular components of the regulation system. During fiscal year 2006-2007, special investigators received 26 matters and resolved 28 matters. The Special Preliminary Review Panel met on September 8, 2006, December 8, 2006 and April 27, 2007. The Panel considered 3 matters for cause and 5 matters on review.

The alternative to discipline program provides an effective way to improve an attorney's ability to practice in accordance with high professional standards. Frequently, this is a more effective measure than professional discipline. The Court has authorized diversion to an alternative program in situations where the program will likely benefit the attorney, and where the attorney will not likely harm the public. Alternative programs may include mediation, fee arbitration, law office management assistance, evaluation and treatment for alcohol and other substance abuse, psychological evaluation and treatment, medical evaluation and treatment, monitoring of practice or trust account procedures, continuing legal education, ethics school, and the multi-state professional responsibility examination. During the fiscal year, 100 attorneys were diverted to alternative programs and 103 attorneys completed diversions.

The central intake program provides for the receipt of inquiries and grievances concerning attorney conduct, and for the preliminary evaluation of grievances prior to any formal investigation. Inquiries and grievances may be received by telephone; callers may use a toll free number to contact the Office of Lawyer Regulation. After the preliminary evaluation, the Central Intake staff may forward the matter to another appropriate agency, attempt to reconcile the matter if it is a minor dispute, close the matter if it does not present sufficient information to support an ethical allegation, or refer the matter for investigation or diversion to an alternative to discipline.

Central Intake received 1,896 inquiries and grievances. This is 165 fewer than the prior year, and a continuation of a trend. Of the matters evaluated in Central Intake this past year, approximately sixteen (16%) were forwarded for formal investigation. Eight percent (8%) involved the resolution of minor disputes or grievances that were withdrawn. Eight (8%)

involved diversion programs. The remaining sixty-eight percent (68%) were closed for lack of sufficient information to suggest an allegation of potential ethical misconduct.

### **Overdraft Notification Program**

SCR 20:1.15(h), the Overdraft Notification Rule, requires attorneys to authorize their financial institutions to notify the Office of Lawyer Regulation of overdrafts on their client trust accounts and fiduciary accounts. Information regarding the trust account overdraft program is available on the Office of Lawyer Regulation's web page [[www.wicourts.gov/olr](http://www.wicourts.gov/olr)].

During Fiscal Year 2007, 96 overdrafts were reported to the OLR. That number constitutes a 15.6% increase from the number of overdrafts reported in 2006 (83). There had been a 20% decrease in the number of overdrafts in each of the prior two fiscal years.

Overdraft notifications have resulted in the following dispositions in Fiscal 2007:

One Year Suspension	1
4 Month Suspension	1
Diversion	5
Dismissal after Diversion Program Successfully Completed	8
Dismissal after Investigation	11
Dismissal after Investigation/Advisory Letter	30
Closed without Investigation – Collection Account Exception	2
Closed without Investigation – Bank Errors	14
Closed without Investigation – Bank Errors/Advisory Letter	2
Closed Pending Reinstatement Proceedings	3
Investigation Suspended	1

The advisory letters sent during Fiscal 2007, some of which included more than one advisory, related to the following issues and record keeping deficiencies:

Availability of Funds for Disbursement	8
Maintenance Account (to cover bank charges)	6
Deposit Slip Issues	2
Inadequate Endorsement	3
Check Drafting Errors	5
Signatory Authority on Trust Accounts	3
Transaction Register/Client Ledger Deficiencies <sup>1</sup>	9
Reconciliation Deficiencies	11
Inadequate Identification of Trust Account	4
Computer Software Deficiencies	3
Prohibition against Telephone/Internet Transactions	5
Other	9

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<sup>1</sup> This category includes advisories regarding running balances in the Transaction Register and/or Client Ledgers; advisories regarding the problems inherent to using check stubs to maintain the Transaction Register; advisories regarding the required content of the Transaction Register and/or Client Ledgers; and advisories regarding the mistaken assumption that a settlement breakdown constitutes a Client Ledger.

On October 27, 2006 and April 27, 2007, OLR staff presented ½-day seminars on trust account management in conjunction with diversions. Commencing with the April 28, 2006 seminar, OLR began offering this training to all lawyers and law office staff members, rather than limiting participation to attorneys who are subject to diversion agreements. Trust account management was also one of the topics covered at OLR's Professionalism Seminar (another Diversion Program) on November 3, 2006. In addition, OLR's Trust Account Program Administrator made presentations regarding the proposed changes to the trust account rule at the State Bar's Annual Bankruptcy Update on October 19 and 20, 2006.

On May 22, 2006, the OLR and the State Bar filed a joint petition with the Wisconsin Supreme Court, seeking both substantive and ministerial changes to SCR 20:1.15 and related rules. (*In the Matter of the Amendment of SCR 20.1.15 Safekeeping Property; SCR 20.1.0 Definitions; SCR 21.16 Discipline; and SCR 12.04 Wisconsin Lawyers Fund for Client Protection*). Following a public hearing on January 17, 2007 and some subsequent input from the public, the Court, by order dated May 2, 2007, re-created SCR 20:1.15 and amended SCR 20:1.0, SCR 21.16 and SCR 12.04, effective July 1, 2007.

## **Survey of Matters**

### *Overall Processing*

The pending caseload is 619 matters, down from the prior year, and within the system's caseload capacity. Processing times were improved from the previous year, even as many older matters were completed. The average processing time was 163 days. The percentage of matters resolved within 90 days and 180 days increased from 63% and 76% to 66% and 80% respectively. Progress made this year on completing older cases and reducing the overall caseload should enable the timeliness to improve next year.

### *Grievances*

In an effort to inform the Supreme Court, the Bar, and the public of the source and nature of the grievances received and the areas of practice from which grievances arise, Appendices 8A – 8C break down by category the grievances received between July 1, 2006 and June 30, 2007. In describing the nature of the grievances, only the most serious allegation is reflected. While most grievances allege various acts of misconduct, it is not practical to list all allegations.

The allegations most commonly made in a grievance were lack of diligence by the lawyer entrusted with the legal matter (22.8%), lack of communication with the client (14.3%), and improper advocacy (11%). See Appendix 8A. The two areas of practice that produced the largest number of grievances during the year were criminal law and family law (see Appendix 8B). It is important to point out that while clients file the majority of grievances, anyone can file a grievance. Appendix 8C illustrates the sources from which grievances were received during the fiscal year.

### *Discipline*

In fiscal year 2006-2007, fifty-eight attorneys received a public disciplinary sanction, including five revocations, three revocations by consent, twenty-seven suspensions and conditions were imposed on one attorney's license to practice. There were three public reprimands imposed by the Supreme Court and nineteen consent reprimands issued by Supreme Court Referees. Additionally, the court temporarily suspended two attorneys, summarily

suspended one attorney and dismissed two disciplinary complaints. At the end of the year, 84 formal disciplinary matters were pending in the Supreme Court, down from 99 last year. Appendix 9 shows the numbers and percentages of attorneys receiving public discipline since fiscal year 1978-1979. Appendix 10 shows the type of misconduct found in public discipline decisions. Appendix 11 shows the areas of practice in which discipline was found in public decisions.

A Referee has authority, under SCR 22.09(3), to issue private reprimands pursuant to an agreement between the Director and the attorney. Typically, a private reprimand is imposed for an isolated act of misconduct that caused relatively minor harm. The Director does not enter an agreement for a private reprimand if public disclosure of the attorney’s misconduct is necessary to protect the public. Private reprimands are retained permanently and are available as an aggravating factor on the issue of sanction if the attorney commits subsequent misconduct. As a means of educating the Bar, summaries of private reprimands, without any reference to or identification of the attorney involved, are printed every six months in the *Wisconsin Lawyer* magazine.

During this fiscal year, twenty-two attorneys received private reprimands. The Supreme Court issued one private reprimand. One-hundred (100) attorneys entered the alternatives to discipline program and one-hundred and three (103) attorneys completed an alternative program.

Other dispositions included:

- 1564 inquiries that did not warrant investigation. These matters were closed after the initial intake evaluation because there was insufficient information to support an allegation of misconduct or were disputes that were resolved without investigation.
- 73 dismissals after investigation in cases where there was insufficient evidence of a violation.
- 55 dismissals with an advisory letter. This disposition occurs in cases where the evidence is insufficient to prove a violation, but where practical advice would be helpful to an attorney.
- 20 closed pending petition for reinstatement and 7 closed due to pending temporary suspensions.

Following is a summary of public discipline cases for fiscal year 2006-2007.

<b>SUMMARY OF PUBLIC DISCIPLINE</b>				
<b>Office of Lawyer Regulation</b>				
<b>July 1, 2006 to June 30, 2007</b>				
<b>Attorney</b>	<b>Admitted</b>	<b>Location</b>	<b>Decided</b>	<b>Effective</b>
<b><u>Revocation</u></b>				
Carroll, Rodney Thomas	04/27/00	Dubuque, IA	01/23/07	01/23/07
Fadner, Thomas A.	04/23/96	Omro	02/07/07	02/07/07
Felli, Jay Andrew	06/27/94	Mequon	05/09/07	05/09/07
Neuendorf, Louis	09/01/57	Sandwich, IL	01/23/07	01/23/07
Schuh, Arthur L.	09/13/82	Appleton	04/19/07	07/27/06

**Revocation by Consent**

Arthur, Mary K.	01/18/77	Lake Geneva	11/17/06	11/17/06
Pierquet, Mark Gerard	9/28/01	Green Bay	05/30/07	05/30/07
Sheehan, John E.	06/30/68	Beloit	01/05/07	01/05/07

**Three Year Suspension**

Cooper, Patrick Michael	09/21/93	Mequon	03/23/07	03/23/07
Gral, Michael A.	09/27/85	Fox Point	02/16/07	02/27/06
Phillips, Mark A.	05/18/81	Elm Grove	05/30/07	05/30/07

**Two Year Suspension**

Burke, Brian B.	09/14/81	Milwaukee	05/02/07	01/03/06
Chvala, Charles J.	01/16/79	Madison	05/02/07	04/10/06
Krezminski, Allan D.	06/15/83	Milwaukee	02/16/07	03/30/07

**One Year Suspension**

Nash, Bruce	05/18/87	Chicago, IL	10/10/06	10/10/06
Robinson, Thomas A.	07/08/87	Zion, IL	02/06/07	02/06/07
Winch, James	06/16/81	Mazomanie	04/19/07	05/31/07

**Eighteen Month  
Suspension**

Washington, Hazel Jean	06/09/88	Milwaukee	05/30/07	02/03/06
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**Six Month Suspension**

Engelbrecht, Richard A.	06/06/74	Green Bay	01/05/07	01/05/07
Gernetzke, Kristin J.	05/20/02	Onalaska	01/19/07	03/02/07

**Five Month Suspension**

Lister, Ryan D.	01/20/76	Wausau	05/17/07	06/15/07
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**Four Month Suspension**

Converse, Mark E.	08/28/73	Green Bay	04/19/07	02/23/07
Tobin, Michael W.	05/19/80	Milwaukee	05/09/07	06/12/07

**Two Month Suspension**

Nunnery, Willie J	01/20/76	Madison	01/04/07	02/06/07
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**Ninety Day Suspension**

Van Liew, Steven Wayne	04/19/94	LaCrosse	07/25/06	07/25/06 Reinstated 10/27/06
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**Sixty Day Suspension**

Barrock, Mitchell J.	10/01/87	Milwaukee	02/22/07	04/06/07 Reinstated 6/07/07
Dade, John Robert	01/11/83	Whitewater	06/01/07	07/13/07
Ermert, James J.	06/04/62	Racine	01/23/07	03/02/07 Reinstated 05/09/07

Holley, Charles J.	06/17/91	Chicago, IL	03/21/07	05/01/07
Kasprowicz, Paul	05/19/86	Waukesha	06/01/07	07/13/07
Nugent, J. E.	02/10/70	Waupun	10/10/06	11/21/06
				Reinstated
				03/07/07
Nussberger, Terry	09/13/83	Ladysmith	08/08/06	09/11/06
				Reinstated
				11/10/06
Paul, Robert Harold	04/21/98	Mishicot	01/23/07	01/23/07

**Indefinite  
Medical Suspension**

Rielly, Michael J.	09/15/88	Lake Geneva	09/11/06	09/11/06
				Reinstated
				11/28/06

**Suspension for  
noncompliance with a  
Court Public Reprimand  
Order**

Young, Joseph Lee (Publicly Reprimanded 7/27/06)	06/16/87	Vesper	06/12/07	06/12/07
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**Conditions on License to  
Practice**

Martin, Richard J.	05/20/91	Grand Rapids, MI	04/17/07	04/17/07
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**Temporary Suspension**

Pierquet, Mark Gerard	09/28/01	Green Bay	07/25/06	07/25/06
Parkman, Dean A.	05/20/91	Milwaukee	02/12/07	02/12/07

**Summary Suspension**

Schuh, Arthur L.	09/13/82	Appleton	07/27/06	07/27/06
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**Court Public Reprimand**

Beatse, T. James	05/22/00	Sparta		10/11/06
Kramer, LeRoy	06/23/89	Harbor Springs, MI		10/10/06
Rice, Shawn G.	05/24/93	Sheboygan		06/07/07

**Consent Public Reprimand**

Batt, Douglas E.	04/19/90	Cudahy		04/10/07
Dade, John Robert	01/11/83	Whitewater		04/16/07
Fredel, Guy W.	06/07/76	Mosinee		07/18/06
Grogan, William J.	05/22/78	Appleton		04/13/07
Guenther, Arik J.	09/14/81	Fond du Lac		04/09/07
Hurt, Michael C.	08/28/73	Menomonee Falls		04/23/07
Imes, Roger L.	06/13/69	LaCrosse		03/19/07
Jacobson, Bruce B.	02/12/71	Milwaukee		12/22/06
Limbeck, George A.	09/16/86	Sheboygan		02/09/07

Moldenhauer, James G.	12/23/82	Eau Claire	10/3/06
Mross, William F.	08/27/75	Racine	09/13/06
Ritter, Eva E.	04/20/93	New Richmond	04/23/07
(Schmitz) Kuehn, Lori	05/19/03	Milwaukee	07/06/06
Theobald, Kimberly A.	04/21/92	Waukesha	10/05/06
Trewin, Michael G.	06/17/05	New London	07/06/06
Van Beckum, Thomas A.	09/14/81	Kenosha	10/05/06
Voss, Richard W.	06/07/76	Rhineland	07/09/06
Washington, Hazel Jean	06/09/88	Milwaukee	05/02/07
Wolf, John H.	06/19/79	Waukesha	04/10/07

## Reinstatements

During fiscal year 2006-2007, the Court completed action on 17 reinstatement petitions, 11 administrative and 6 disciplinary. Following is a summary of reinstatements.

<b>SUMMARY OF REINSTATEMENTS</b>				
<b>Office of Lawyer Regulation</b>				
<b>July 1, 2006 – June 30, 2007</b>				
<b>Attorney</b>	<b>Location</b>	<b>Received</b>	<b>Decided</b>	<b>Outcome</b>
<b><u>Administrative</u></b>				
Albright, David E.	Apple Valley, MN	06/07/06	02/01/07	Dismissed
Polk, Brian	Racine	02/26/06	05/11/07	Denied
Adorno, Amarillis E.	Miami	01/17/06	11/21/06	Granted
French, Henry T.	Bermuda	05/02/05	04/23/07	Granted
Johnson, Florence	Memphis, TN	06/08/06	03/05/07	Granted
Lerner, Shirley Okrent	Minneapolis, MN	09/01/06	03/05/07	Granted
Montgomery, Eric A.	Charlotte, NC	11/09/05	03/20/07	Granted
Mueller, James J.	Cross Plains	05/10/06	08/21/06	Granted
O'Connor, Chela Bordas	Madison	11/01/06	03/07/07	Granted
Starkweather, John	Madison	09/25/06	04/17/07	Granted
Willihnganz, Ty C.	Milwaukee	09/11/06	06/12/07	Granted
<b><u>Disciplinary</u></b>				
Sherry, Robert L.	Wauwatosa	08/16/05	10/31/06	Denied
Eisenberg, Alan D.	Milwaukee	01/07/05	01/19/07	Granted
Hausmann, Charles J.	Milwaukee	06/01/06	05/17/07	Granted
Robinson, Mark E.	Janesville	12/29/05	11/10/06	Granted
Taylor, Robert	Milwaukee	10/22/03	09/01/06	Granted
Olson, Jonathan A.	Green Bay	09/26/05	03/09/07	Granted w/Conditions

## Finances

The legal profession is unique in assuming the costs for policing itself. An assessment on every member of the State Bar of Wisconsin pays the costs and expenses of the lawyer regulation system, including all the costs and expenses of the Office of Lawyer Regulation, District Committees, Preliminary Review Committee, and Board of Administrative Oversight. To help offset the costs, the Office of Lawyer Regulation collects costs from attorneys disciplined in

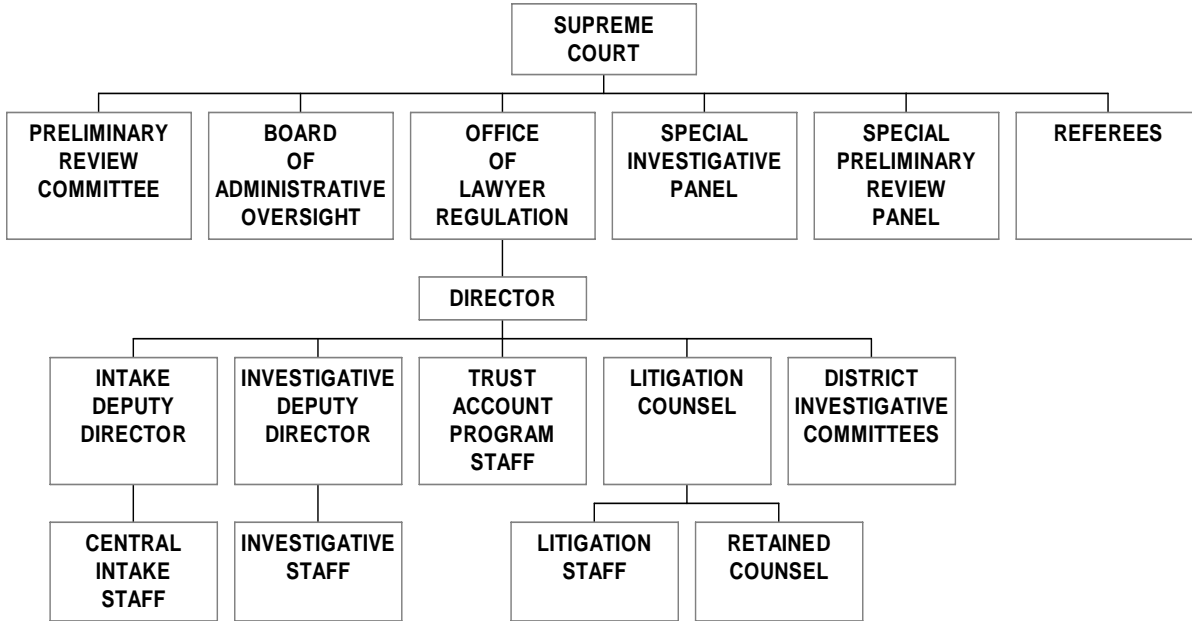
formal court proceedings and collects fees on petitions for reinstatement. Collections for fiscal year 2006-2007 were approximately \$132,567.

The budget for fiscal year 2007-2008 is \$2,839,900 up from \$2,649,000 last year. The assessment is \$144.00 up from \$129.00 last year. The assessment is in line with disciplinary assessments for neighboring jurisdictions: \$190.00 for Illinois, \$115.00 for Iowa, \$120 for Michigan, and \$122.00 for Minnesota. The assessment for Colorado, which has a similar program and lawyer population, is \$189.00.

### **The Year Ahead**

The lawyer regulation system made significant progress on its caseload, and can be expected to improve its timeliness next year. Significant work will continue toward improvements in the system. During the year, the Supreme Court and the Board of Administrative Oversight will consider policy proposals relating to multi-jurisdictional practice and unauthorized practice of law. Information regarding pending petitions is available from the Court's website: [www.wicourts.gov](http://www.wicourts.gov). Further information regarding the lawyer regulation system is available at [www.wicourts.gov/olr](http://www.wicourts.gov/olr).

**ORGANIZATIONAL CHART OF THE  
LAWYER REGULATION SYSTEM**



APPENDIX 2

COMPOSITION OF THE LAWYER REGULATION SYSTEM

WISCONSIN SUPREME COURT

Chief Justice Shirley S. Abrahamson  
Justice Ann Walsh Bradley  
Justice N. Patrick Crooks  
Justice David T. Prosser  
Justice Patience D. Roggensack  
Justice Louis B. Butler  
Justice Annette Kingsland Ziegler

OFFICE OF LAWYER REGULATION

Keith L. Sellen, Director

John K. O'Connell, Deputy Director-Investigations  
Elizabeth Estes, Deputy Director-Intake  
William Weigel, Litigation Counsel  
Julie M. Falk, Assistant Litigation Counsel  
Mary Hoeft Smith, Trust Account Program Administrator

Investigative Staff:

Mary A. Ahlstrom  
Lorry Eldien  
Rhonda Frank-Loron  
Cathe Hahn  
Ellen B. Healey  
Emily Kokie  
Alice O'Mahar  
Sarah Peterson  
Melody Rader-Johnson  
Cynthia Schally  
Kay Sievers  
Travis Stieren  
Nancy L. Warner  
Karl Wyler  
Jonathan Zeisser

Support Staff:

Tara Albedyll  
Sheri Carter  
Heidi Johnson  
Carol Kornstedt  
Mary McMillan  
Angelia Pearson

Carol Rymer  
Sarah Unruh  
Barbara Schlak  
Susan Stock

FISCAL YEAR 2006-2007 RETAINED COUNSEL

Matthew Anich	Ashland
Thomas Basting	Janesville
Gregg M. Herman	Milwaukee
Robert G. Krohn	Janesville
Paul W. Schwarzenbart	Madison

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\*Public Members

District No. 1 (Jefferson, Kenosha, Walworth Counties)

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Christopher W. Rose	Kenosha
Robert I. DuMez	Kenosha
*John G. Braig	Kenosha
F. Mark Bromley	Whitewater
*Jeffrey B. Cassity	Kenosha
*Gerald Pelishek	Darien
*William J. Brydges	Kenosha
*Dr. Randall J. Hammett	Kenosha
Timothy J. Geraghty	Kenosha
Christine A. Gabron	Kenosha

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*Patrick Doyle	Milwaukee
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Eliot M. Bernstein	Milwaukee
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*Erica Mills	Greendale
John Paul Fernandes	Milwaukee
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Bradley S. Foley	Milwaukee
Michele M. Ford	Milwaukee
Thomas A. Merkle	Milwaukee
Julie A. O'Halloran	Milwaukee

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Kristi L. Fry	Fond du Lac
*Ellen Sorensen	Ripon
John S. Zarbano	Oshkosh
Christopher R. Kindt	Oshkosh
Elizabeth J. Nevitt	Neenah
Beth Osowski	Oshkosh
*Kristy Bradish	Oshkosh
*Gary Knoke	Berlin
James Samuelsen	Fond du Lac
Sam E. Kaufman	Fond du Lac
*Susan J. Andrews	Oshkosh
*Mary Jo Keating	Fond du Lac

District No. 4 (Door, Kewaunee, Manitowoc, Calumet, Sheboygan Counties)

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*Robert Dobbs	Two Rivers
*Susan J. McAninch	Sturgeon Bay
*Dennis McIntosh	Sturgeon Bay
Susan Schleisner	Elkhart Lake
Judge Robert Landry	Egg Harbor
Mary Lynn Donohue	Sheboygan
Natasha Torry-Abate	Sheboygan

District No. 5 (Crawford, LaCrosse, Richland, Vernon, Monroe, Trempealeau, Jackson, Clark, Buffalo, Pepin Counties)

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\*James W. Geissner

Tomah

LaCrosse

LaCrosse

Sparta

Black River Falls

Stoddard

LaCrosse

Neillsville

Prairie du Chien

LaCrosse

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LaCrosse

Fountain City

West Salem

Arcadia

LaCrosse

LaCrosse

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Rosemary June Goreta

\*Bruce S. Krueger

\*Colleen Merrill Brown

Waukesha

Waukesha

Delafield

Oconomowoc

Oconomowoc

Waukesha

Waukesha

Oconomowoc

Waukesha

Germantown

Dousman

Brookfield

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Leon Schmidt

Kenneth Gorski

David A. Korth

\*Linda L. Redfield

\*LaVinda L. Carlson

Cynthia L. Kieper

Wautoma

Baraboo

Wisconsin Rapids

Wisconsin Rapids

Wisconsin Rapids

Stevens Point

Wisconsin Rapids

Marshfield

Marshfield

Stevens Point

Reedsburg

Stevens Point

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*David Cronk	River Falls
*Edward Hass	Ellsworth
*Paul W. Schommer	Hudson
Tracy N. Tool	River Falls
Jay E. Heit	Eau Claire
Carol N. Skinner	Hudson
Phillip M. Steans	Menomonie
Dennis M. Sullivan	Eau Claire
Michael P. Wagner	Menomonie
R. Michael Waterman	Hudson
*John DeRosier	Eau Claire
*Sharon Norton-Bauman	Hudson

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Lauri Roman	Madison
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*Judith A. Miller	Madison
*Ellen Pritzkow	Madison
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Peter E. Hans	Middleton
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*David Dies	Madison
*Robert C. Hodge	Madison
Maureen McGlynn Flanagan	Madison
Lee R. Atterbury	Middleton
William F. Mundt	Madison
Bruce A. Schultz	Madison
Meredith J. Ross	Madison
*Rodney Tapp	Madison
*David G. Utley	Madison
Andrew Clarkowski	Madison
Thomas W. Shellander	Madison
Lawrence P. Peterson	Stoughton
Jesus G. Q. Garza	Madison
*Theron E. Parsons IV	Madison
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*Peter Anderson	Madison
*Patrick Delmore	Madison
Jennifer E. Nashold	Madison
*Dr. Kenneth H. Yuska	Madison

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Gale Mattison

Jane Kirkeide

\*Guy T. Gooding

\*Stephen C. Ware

Kimberly

Appleton

Appleton

Marinette

Appleton

Sobieski

Appleton

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\*Margaret Kolbeck

\*Mary Ann King

\*Diane Fjelstad

\*Daniel E. Adams

Craig Haukaas

H. G. Nordling

\*Gene Anderson

Michael O. Erspamer

Kathleen A. Pakes

Timothy T. Sempf

John M. Mizerka

Frederic

Spooner

Cumberland

Chippewa Falls

Chetek

Cameron

Washburn

Washburn

Bloomer

Chetek

Ladysmith

Amery

Hayward

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Janesville

Lancaster

Lancaster

Janesville

Platteville

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Janesville

Platteville

Schaumburg

Platteville

Platteville

Janesville

Janesville

Monroe

Monroe

Darlington

Monroe

Janesville

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Waupun

Mequon

Waupun

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Daniel L. Vande Zande  
Christine Eisenmann Knudtson

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West Bend  
Beaver Dam  
Mequon  
Waupun  
West Bend

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\*Richard Allcox  
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DePere  
Green Bay  
Green Bay  
Green Bay  
Green Bay  
Oneida  
Green Bay  
Green Bay  
Green Bay  
Green Bay  
Green Bay  
DePere  
Green Bay

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Mark Lukoff  
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\*Raymond G. Feest

Racine  
Racine  
Racine  
Racine  
Burlington  
Racine  
Racine  
Burlington  
Racine  
Racine

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John E. Danner  
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Jessica Tlusty  
\*Bernice Wisnewski  
\*Diane M. Weiler

Wausau  
Wausau  
Minocqua  
Wausau  
Merrill  
Schofield  
Merrill  
Wausau  
Woodruff  
Merrill  
Wausau  
Schofield  
Edgar  
Edgar

## PRELIMINARY REVIEW COMMITTEE

### **Attorney Michael S. Anderson, CHAIRPERSON Madison, WI**

Attorney Michael S. Anderson is the Managing Partner of Axley Brynelson, LLP in Madison, where his practice (both trial and appellate) emphasizes commercial and business litigation, insurance coverage disputes, and products liability defense. He was a member of the District 9 Professional Responsibility Committee, which assists the Office of Lawyer Regulation with investigations into possible lawyer misconduct, for nine years. For many years he has been listed in *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law* and *Who's Who in Finance and Industry*. Anderson is a member of the Bench and Bar Committee of the Wisconsin State Bar, the Boards of Directors of Wisconsin's Equal Justice Fund, Inc., Oakwood Village East (Continuing Case Retirement Communities) Chair, and Nehemiah Community Development Corporation, and he serves on the Blackhawk Church Elder Board.

### **Rev. Steven K. Gjerde, VICE CHAIRPERSON Wausau, WI**

Reverend Steven K. Gjerde is an ordained minister at Zion Lutheran Church in Wausau. He has served as a teaching assistant in ethics at Luther Seminary, St. Paul, Minnesota, from which he received his Master of Divinity degree. Reverend Gjerde is a member of the Homme Heights Board of Directors and is currently Chair of the Theological Advisory Committee for his regional bishop. In past years, he has served as Dean of his Ministerial Conference.

### **Attorney James D. Wickhem Janesville, WI**

Attorney James D. Wickhem is a partner in Meier, Wickhem, Lyons & Schulz in Janesville. He focuses his work on civil litigation, including personal injury, business litigation, products liability, and insurance disputes. Wickhem has been selected as a "Wisconsin Super Lawyer" by *Milwaukee Magazine* in 2005, 2006 and 2007. He's certified as a civil trial specialist by the National Board of Trial Advocacy and has long served as a Director for Wisconsin Association of Trial Lawyers. He previously served on a district professional responsibility committee (part of the lawyer regulation system), and as chair of that committee. Wickhem has been active in his community, serving on the Janesville Police and Fire Commission, the Alcohol License Advisory Committee and on the Board of Directors of Big Brothers/Big Sisters of Rock County.

### **Attorney James D. Friedman Milwaukee, WI**

Attorney James D. Friedman is a partner in Quarles & Brady LLP in Milwaukee, where he is Chair of the Financial Institutions Practice Group. Friedman is a former member of the Board of Governors and Executive Committee of the State Bar of Wisconsin. He is a director of Partners Advancing Values in Education, Inc., the Weyenberg Public Library Foundation, Inc., Wisconsin's Equal Justice Fund, Inc., the Wisconsin Law Foundation, and is listed in *The Best Lawyers in America (10 years)*; *Wisconsin Super Lawyers*; *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law*, *Who's Who in the Midwest*, and *Who's Who in Finance and Industry* and was selected as one of Wisconsin's leaders in the Law 2006 by the *Wisconsin Law Journal*. He is a Life Fellow of both the Wisconsin Law and American Bar Foundations.

**Ms. Patricia Evans  
Madison, WI**

Patricia Evans is retired from the University of Wisconsin, Department of Pathology and Laboratory Medicine. She was employed as a senior lecturer in the Clinical Laboratory Science Program. She is a member of the American Society for Clinical Laboratory Science, Wisconsin Society for Clinical Laboratory Science, Madison Area Society for Clinical Laboratory Science, American Association of Blood Banks, American Association for the Advancement of Science, American Society of Clinical Pathologists, American Association of University Women, University of Wisconsin Madison Retirement Association, the YWCA, the Wisconsin Retired Educators Association and State Coordinating Council of AARP Wisconsin.

**Ms. Joan Greendeer-Lee  
Tomah, WI**

Joan Greendeer-Lee has been a tribal court judge and president of the Wisconsin Tribal Judges Association. Trained as a paralegal, Greendeer-Lee holds a degree in geography. From 1985 to 1999, she served as an assistant manager for the U.S. Census Bureau, where she focused on mapping techniques for identifying American Indian and Alaska Native lands.

**Attorney Bernard T. McCartan  
Madison, WI**

Attorney Bernard T. McCartan is Associate General Counsel for American Family Insurance Co., managing the company's Wisconsin regional legal department. He currently serves as Chair of the Legislative Committee of Civil Trial Counsel of Wisconsin following terms as Chair of the CTCW Professional Ethics Committee and as an officer. He is active in the State Bar and in his community, volunteering as counsel to Milwaukee Irish Fest. He has spoken and authored articles on topics related to ethics and other subjects.

**Dr. Thomas W. Radmer, DDS, M.S.  
Trevor, WI**

Dr. Radmer is an Oral Maxillofacial Surgeon. He graduated from the University of Wisconsin in 1966, graduated from Marquette School of Dentistry in 1970, and earned a Master's Degree in Oral Maxillofacial Surgery from Marquette University in 1975. Radmer is Board qualified in OMS, and is a fellow at the American Association OMS and the International Association OMS. He is currently the Chairman of Oral and Maxillofacial Surgery at Marquette University School of Dentistry and is on the part-time faculty of the Medical College of Wisconsin.

**Attorney Frank D. Remington  
Madison, WI**

Attorney Frank D. Remington is an Assistant Attorney General with the Wisconsin Department of Justice. He began his career as a clerk to Wisconsin Supreme Court Justice Donald W. Steinmetz, who served on the Court from 1980 to 1999. Remington worked in private practice for two years and was appointed an Assistant Attorney General in 1987. In that capacity, Remington has prosecuted criminal and civil complaints and defended the State, its agencies and employees in a variety of areas including civil rights, environmental protection, contracts and eminent domain. Among other activities, he served three terms on a District Professional Responsibility Committee, (part of the lawyer regulation system).

**Attorney Terence J. Bouressa**  
**Green Bay, WI**

Attorney Bouressa is a partner in the firm of Bouressa and Patteson, S.C. He is a life long resident of the Fox Valley, graduating from Kimberly High School in 1976 and the University of Wisconsin Oshkosh in 1980. In 1983 he graduated from Pepperdine University of Law in Malibu, California where he was a published member of the Law Review. Bouressa and Patteson is a broad based, diversified litigation practice including trial and appellate work. Mr. Bouressa also provides alternative dispute resolution services as a mediator and arbitrator.

**Attorney Donald J. Christl**  
**Milwaukee, WI**

Attorney Christl received his B.A. from St. Mary's University, Winona, MN, graduated in 1963 summa cum laude. He attended the University of Chicago Law School and received his law degree in 1966. Since then, he has been in practice with Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C., Milwaukee. Attorney Christl is involved in numerous professional and community activities, including the Milwaukee Bar Association, Milwaukee Bar Foundation, Wisconsin Courts Committee on Fee Arbitration, State Bar of Wisconsin, District II Professional Responsibility Committee, American Bar Association, Milwaukee County Boy Scouts Counsel Board of Trustees Chairman 2006-present, American Heart Association, Friends of Channels 10/36 and United Way of Greater Milwaukee.

**Attorney Michael R. Cohen**  
**Eau Claire, WI**

Michael Cohen is a graduate of Dartmouth College and the University of Wisconsin-Madison Law School. He is a partner in Johnson & Cohen, S.C. in Eau Claire. The firm's practice is limited to criminal defense and family law matters. Attorney Cohen practices solely in the area of criminal defense and is licensed both with the State of Wisconsin and the Western District of Wisconsin. Attorney Cohen is also actively involved in community activities, serving on various local boards including the Chippewa Valley Chapter of the American Youth Soccer Organization, the Chippewa Valley Chapter of the American Red Cross and is past-president of the Eau Claire Morning Rotary. He is a Scout Master with one of the local Eau Claire Boy Scout Troops and is an executive member at large for the Eau Claire County Bar Association and a member of the Board of Directors for the Wisconsin Association of criminal Defense Lawyers.

**Professor Majid Sarmadi**  
**Madison, WI**

Professor Sarmadi is a faculty at the University of Wisconsin-Madison since 1986. He received his PhD from Virginia Tech in 1986 in Textile Science. A Rothermel Bascom Professor, he directs graduate students in the Materials Science graduate program and the textile science specialization of the Human Ecology: Design Studies graduate degree. His research focus includes: Chemical properties and structures of textile fibers; plasma modifications of materials, wettability, dyeing and finishing. He has received many awards including but not limited to: the Harold Dwitt Smith Memorial Medal presented by ASTM international, 2002; Faculty Professional Excellence Award, 1997; Certificate of Award for second place paper, Inter-sectional Technical Paper Competition, International Technical Conference, AATCC, 1995; Certificate of Award for Excellence in Outreach, School of Human Ecology UW-Madison, 1990. He is the author and coauthor of more than 60 papers and holds four patents in the area of dyeing, finishing and plasma modification of films and fibrous materials. He has also served as consultant for industries, state procurement offices and judicial system on issues such as wettability, dyeability, flammability, and minimum specifications

for carpet and other textile materials. Professor Sarmadi's work connects him with Forestry, Chemistry, CPAM, Materials Science, Pharmacy and Medical School.

**Attorney Gregory Stacker**  
**Wausau, WI**

Attorney Gregory J. Stacker is a partner in Pietz, VanderWaal, Stacker & Rottier, S.C. in Wausau, Wisconsin. He focuses his legal practice in the areas of corporate law, corporate litigation, personal injury, worker's compensation, tax law, real estate law, estate planning and probate. He has 18 years of experience, has also earned an accounting degree from the University of Washington in Seattle, and has extensive experience in advising individuals and businesses relative to strategic planning and personnel issues. He also helps people maintain and operate their active entities and has been involved with the formation of business entities, including limited liability companies, corporations and partnerships. He has appeared in front of federal and state agencies including the Internal Revenue Service and the Department of Workforce Development. He is a member of the Marathon County Bar Association, American Bar Association and the State Bar of Wisconsin.

**BOARD OF ADMINISTRATIVE OVERSIGHT**

**Attorney Ann Ustad Smith, CHAIRPERSON**  
**Madison, WI**

Attorney Ann U. Smith is a partner with Michael Best & Friedrich, where she practices bankruptcy, commercial litigation, and constitutional litigation. She is a member of the Ethics Committee, which offers analysis and advice on ethics issues to the firm's attorneys. In 1989, Smith served as staff to the Governor's Blue Ribbon Commission on Ethics and Lobbying Laws. A past member of a BAPR District Committee, Smith also represented BAPR on open records issues in 1999.

**Attorney Terry Rose, VICE CHAIRPERSON**  
**Kenosha, WI**

Attorney Rose is a partner with Rose & Rose, Attorneys. Rose is a trial lawyer who practices both civil and criminal litigation. He is a graduate of Northwestern University and the University of Wisconsin Law School. Since 1986, he has served as a Kenosha County Board Supervisor and is currently vice-chair of the Board and formerly served as a chairman of the Finance Committee of the Kenosha County Board. In addition, he has been involved in community affairs as former president of the Kenosha County Bar Association, former president of the Kenosha Symphony Association, former president of United Way of Kenosha County, former president of C.Y.C. Youth Center in Kenosha and chair of the Kenosha Airport Commission.

**Attorney Barrett J. Corneille**  
**Madison, WI**

Barrett J. Corneille is a partner in the Madison law firm of Corneille law Group LLC. He received his undergraduate degree from DePauw University and his law degree from the University of Wisconsin Law School. He is board certified as a Civil Trial Advocate by the National Board of Trial Advocacy. He is past President of the Civil Trial Counsel of Wisconsin, and a past member of the State Bar of Wisconsin Professional Ethics Committee. From 1985-1994, he served on the District 9 Board of Attorneys Professional Responsibility Committee. He is a member of the Defense Research Institute and the Civil Trial Counsel of Wisconsin, the Federation of Defense and Corporate Counsel, and International Association of Defense Counsel, and former member of the American Inns of Court. His practice is limited to civil litigation.

**Ms. Claire A. Fowler  
Hubertus, WI**

Claire A. Fowler is the retired owner of Gemini Employee Leasing, Inc., which she founded in 1981. Fowler is very active in her community, and serves on numerous professional boards and committees including the Wisconsin Business Women's Coalition, of which she is a founder. The Coalition recommended her appointment to BAO. Fowler also has served on the State Job Training Coordinating Council and the Women's Advisory Council of the Small Business Administration. She is currently active in SCORE/SBA and Jr. Achievement.

**Ms. Krista L. Ginger  
Madison, WI**

Krista L. Ginger is the State Public Defender Legislative Liaison. Ginger has worked in this capacity for four years. Previously, she worked for the Department of Corrections, where she served as staff to the Governor's Task Force on Corrections. Ginger worked from 1989 to 1994 as a clerk in the Wisconsin Supreme Court and Court of Appeals Clerk's Office.

**Steven J. Koszarek  
Superior, WI**

Steve Koszarek is the Douglas County Administrator. He has worked for Douglas County for 33 years, having spent 10 years in the Juvenile Court office and five years as the Director of Human Services. He has been active in the community, having served on the United Way Board and is a past president. He is the current chairperson of the Board of Directors of the local YMCA and is a member of the Optimist Club.

**Attorney Scott Roberts  
Stevens Point, WI**

Attorney Scott Roberts is a Wisconsin native who served as Assistant District Attorney in Rusk County from 1979-1980 and in Rock County from 1980-1982. He served as a State Public Defender in Rock County from 1982-1985, and in Milwaukee County from 1986-1991. He worked as an Assistant District Attorney in Portage County from 1991-2000, and now does criminal defense in solo practice in Stevens Point. He has tried approximately 259 jury trials, and recently prosecuted a shaken baby case that occurred more than 20 years ago. He was a main presenter at the Third National Conference on Shaken Baby Syndrome in 2000.

**Attorney Alice A. Rudebusch  
Racine, WI**

Alice Rudebusch is the Judicial Court Commissioner of Racine County and the Municipal Judge of the City of Oak Creek. Her prior experience includes 14 years in private practice as a trial lawyer with Hanson & Gasiorkiewicz, S.C. She has also served as an alderperson on the City of Oak Creek Common Council and is a past president of the YWCA of Racine.

**Attorney Thomas Sleik  
LaCrosse, WI**

Attorney Sleik is a partner in the LaCrosse firm of Hale, Skemp, Hanson, Skemp & Sleik. His practice includes personal injury, family law, employment law and business law. He is a past president of the State Bar of Wisconsin, past member and chairman of the Wisconsin Judicial Commission, and he formerly served on his BAPR District Committee. He is currently a

member and chair of the LaCrosse Public Library Board; chair of the Board of Trustees of Oktoberfest USA; and a member of the Board of Directors of Franciscan Skemp Healthcare in LaCrosse.

**Attorney Harvey L. Wendel  
Madison, WI**

Attorney Wendel is of counsel with the Madison law firm of Murphy and Desmond and has over 40 years of experience representing clients in real estate development, financing, including sales and acquisitions. He was ranked as one of the top alternate dispute resolution lawyers in Dane County in a poll of lawyers published by the *Madison Magazine* in January, 2003. Mr. Wendel currently serves as a member of the Board of Directors and Loan Committee of Wisconsin Community Bank, which is a subsidiary of Heartland Financial USA, Inc., headquartered in Dubuque, Iowa. He is past president and is a member of the Board of Directors of the Senior Lawyers Division of the State Bar of Wisconsin. He has also served as an arbitrator and as a member of the Panel of Neutrals of the American Arbitration Association Board of Arbitrators.

SPECIAL INVESTIGATIVE PANEL

Attorney Eric Becker	Beaver Dam
Attorney Gregory S. Bonney	LaCrosse
Attorney Eileen Brownlee	Fennimore
Attorney John J. Carter	Greenfield
Attorney Michael P. Crooks	Madison
Attorney Victor C. Harding	Milwaukee
Attorney William Pharis Horton	Madison
Attorney Suzanne Kitto	Beloit
Attorney William Kussel, Jr.	Shawano
Attorney Myron E. LaRowe	Reedsburg
Attorney Maria S. Lazar	Milwaukee
Attorney Francis H. LoCoco	Milwaukee
Attorney Mark A. Peterson	Milwaukee
Attorney William Retert	Fond du Lac
Attorney Bruce J. Rosen	Madison
Attorney John D. Varda	Madison
Attorney Robert Hagness	Mondovi
Attorney Deborah Smith	Madison

SPECIAL PRELIMINARY REVIEW PANEL

Attorney Kara M. Burgos, Chairperson	LaCrosse
Dennis B. Gorder	Necedah
Dean Helstad	Ettrick
Attorney Lori S. Kornblum	Wauwatosa
Attorney James G. Poulos	West Bend
Attorney Michael Weiden	Madison
Lawrence J. Quam	Superior

SUPREME COURT REFEREES

Norman C. Anderson	Madison
Michael Ash	Milwaukee
Linda S. Balisle	Madison
Rose Marie Baron	Milwaukee
Allan Beatty	Sparta
James C. Boll	Madison
Kathleen Brady	Wauwatosa
James G. Curtis	LaCrosse
John R. Decker	Milwaukee
Michael Francis Dubis	Waterford
William Eich	Madison
Richard M. Esenberg	Milwaukee
Kevin L. Ferguson	Madison
Henry A. Field, Jr.	Madison
John A. Fiorenza	Mequon
Curry First	Milwaukee
Dennis J. Flynn	Racine
David R. Friedman	Madison
Amy Gentz	Madison
Lisa C. Goldman	Madison
Jonathan V. Goodman	Milwaukee
Stanley F. Hack	Milwaukee
Russell L. Hanson	Westby
Daniel L. Icenogle	Readstown
Sean P. Maloney	Madison
James W. Mohr	Hartford
Richard P. Mozinski	Manitowoc
James B. Murphy	Kohler
Richard Ninneman	Milwaukee
Gary Olstad	Wittenburg
Kim M. Peterson	Oconomowoc
Catherine Rottier	Madison
Steven Schilke	Genoa
John N. Schweitzer	Madison
Judith Sperling Newton	Madison
Christine Harris Taylor	Milwaukee
Thomas H. Taylor	LaCrosse
Konrad Tuchscherer	Wausau
Timothy L. Vocke	Rhineland
Cheryl Rosen Weston	Madison
James T. Winiarski	Milwaukee

### APPENDIX 3

#### NEW MATTERS AND DISPOSITIONS, FISCAL YEAR 1999-2007

	<b>FY 99</b>	<b>FY00</b>	<b>FY 01</b>	<b>FY 02</b>	<b>FY 03</b>	<b>FY 04</b>	<b>FY 05</b>	<b>FY 06</b>	<b>FY 07</b>
Number of attorneys	19,984	20,167	20,551	20,772	21,112	21,518	21,837	22,225	22,637
Number Pending at Beginning of Fiscal Year	500	621	874	1,127	1,313	1,037	738	855	817
*Adjustments		(14)		(109)	(80)	(93)	(162)	(103)	(100)
New Matters	1,423	1,526	**1,951	2,423	2,261	2,225	2,105	2,061	1,896
Dispositions	1,302	1,287	1,698	2,346	2,617	2,617	2,150	2,202	2,194
Pending at Close of Fiscal Year	621	874	1,127	1,313	1,037	738	855	817	619

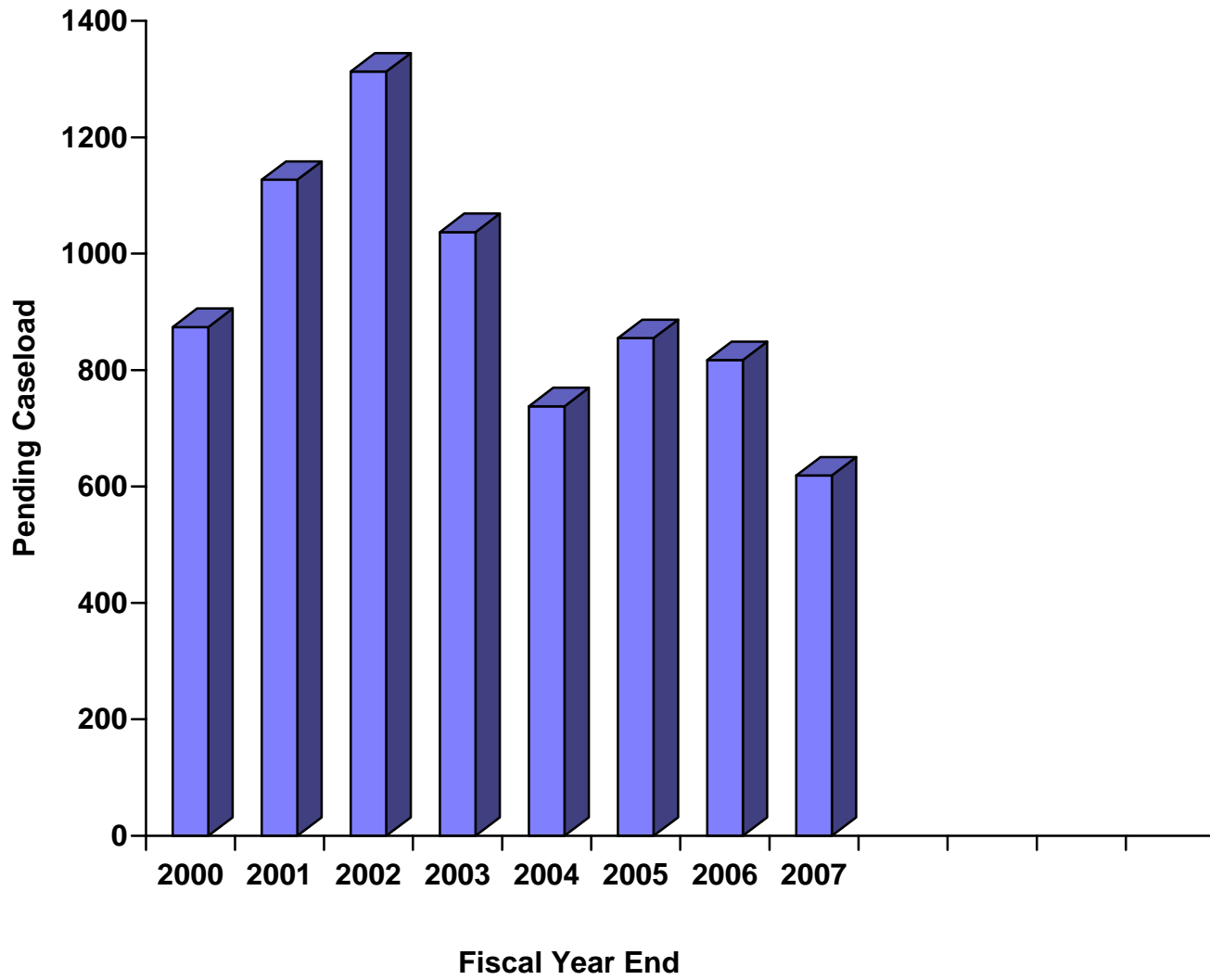
\*Adjustments include appealed matters that are reopened and other administrative changes made during the fiscal year.

\*\*The increase in the number of new matters was due to the telephonic intake program established January 1, 2001.

**APPENDIX 4**

**PENDING CASELOAD**

**Fiscal Years 2000 - 2007**



## APPENDIX 5

### EFFICIENCY AND PRODUCTIVITY

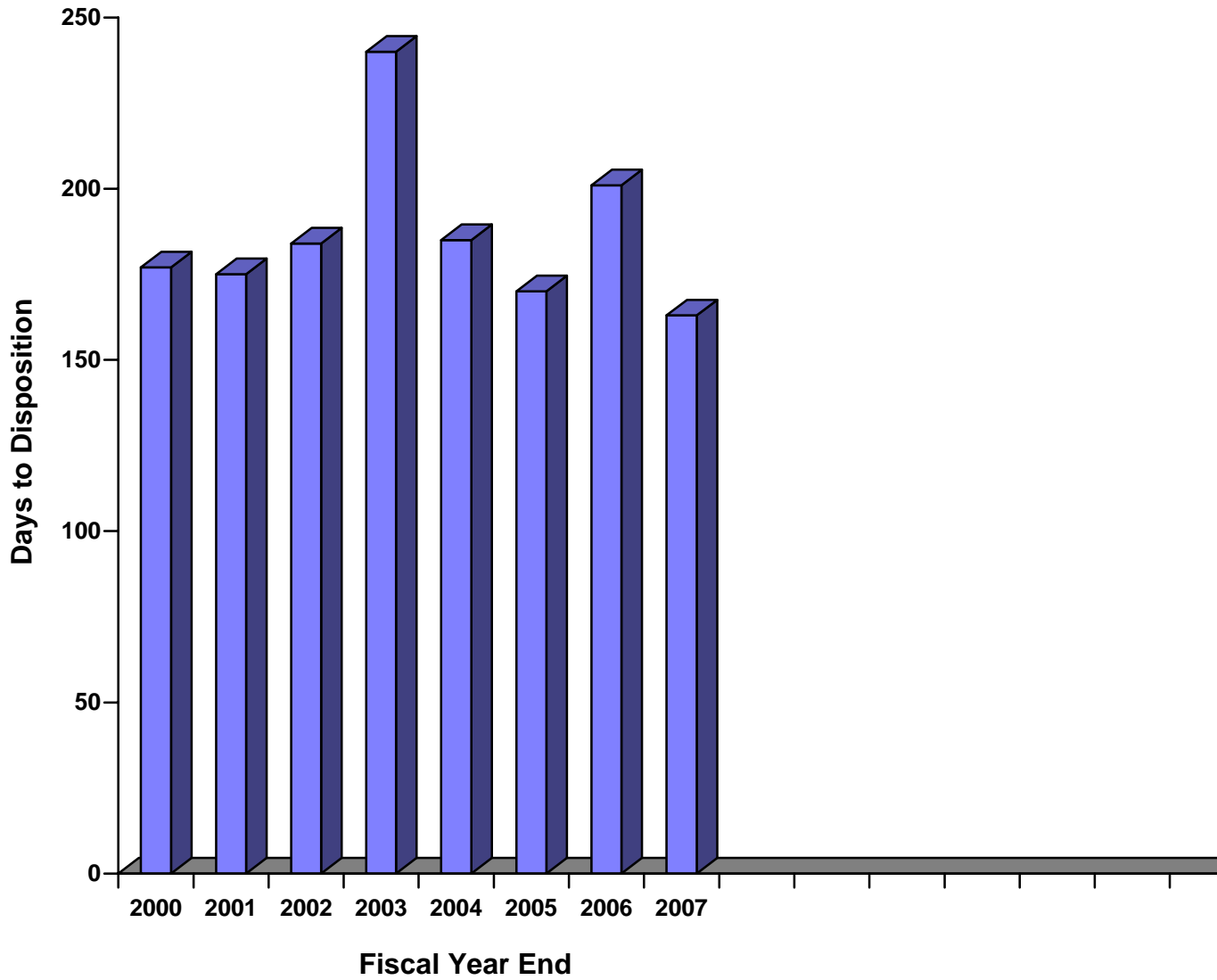
	<b>FISCAL YEAR 2002</b>	<b>FISCAL YEAR 2003</b>	<b>FISCAL YEAR 2004</b>	<b>FISCAL YEAR 2005</b>	<b>FISCAL YEAR 2006</b>	<b>FISCAL YEAR 2007</b>
<b>*AVERAGE TIME FOR DISPOSITION</b>	<b>184 DAYS</b>	<b>240 DAYS</b>	<b>185 DAYS</b>	<b>170 DAYS</b>	<b>201 DAYS</b>	<b>163 DAYS</b>
<b>MATTERS OVER ONE YEAR OLD</b>	<b>461</b>	<b>293</b>	<b>252</b>	<b>290</b>	<b>236</b>	<b>216</b>
<b>PERCENTAGE OF MATTERS OVER ONE YEAR OLD</b>	<b>35%</b>	<b>31%</b>	<b>34%</b>	<b>34%</b>	<b>29%</b>	<b>35%</b>
<b>PERCENTAGE OF MATTERS CLOSED WITHIN 90 DAYS</b>	<b>58%</b>	<b>50%</b>	<b>64%</b>	<b>71%</b>	<b>63%</b>	<b>66%</b>
<b>PERCENTAGE OF MATTERS CLOSED WITHIN 180 DAYS</b>	<b>74%</b>	<b>73%</b>	<b>76%</b>	<b>81%</b>	<b>76%</b>	<b>80%</b>

\*Average time for disposition is calculated by averaging length of time it took to process case and calculates the time for each case when matters are completed.

**APPENDIX 6**

**AVERAGE MATTER PROCESSING TIME**

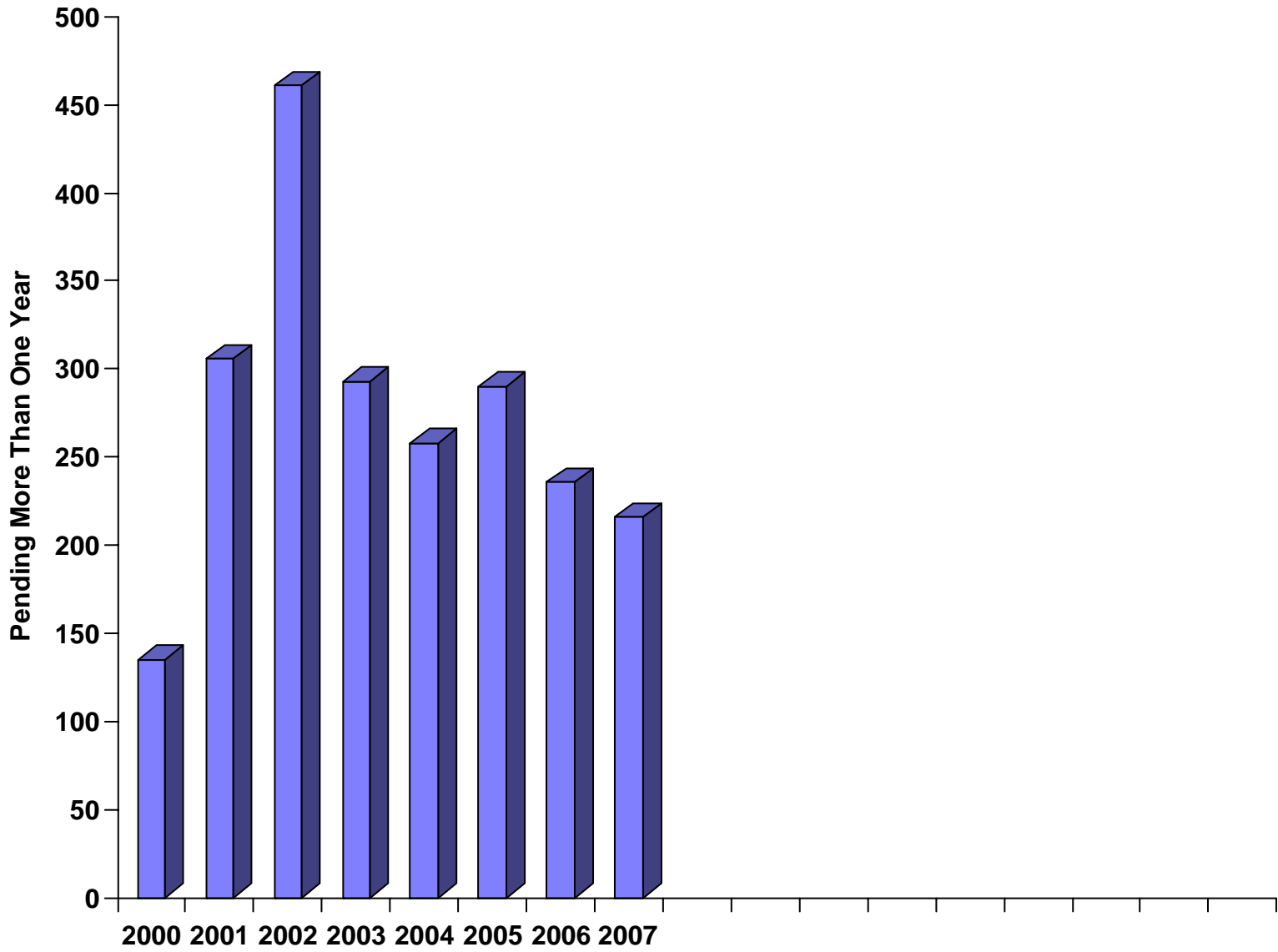
**Fiscal Years 2000 – 2007**



**APPENDIX 7**

**GRIEVANCES PENDING MORE THAN ONE YEAR**

**Fiscal Years 2000-2007**



**APPENDIX 8A**

**SURVEY OF GRIEVANCES RECEIVED DURING**

**FISCAL YEAR 2006-2007**

**Categorized by Allegation**

<b>ALLEGATIONS</b>	<b>TOTAL</b>	<b>PERCENTAGE OF TOTAL ALLEGATIONS</b>
Conflict of Interest	97	5.2%
Criminal Conduct	28	1.5%
Failure to Return Property	67	3.6%
Frivolous Action	15	0.8%
IFOR	64	3.4%
Improper Advertising	10	0.5%
Improper Advocacy	207	11.0%
Improper Communications	54	2.9%
Improper Termination	30	1.6%
Incompetence	31	1.6%
Lack of Communication	267	14.3%
Lack of Diligence	429	22.8%
Medical Incapacity	7	0.4%
Misrepresentation/Dishonesty	198	10.5%
Reciprocal Discipline	2	0.1%
Revealing Confidences	18	1.0%
Scope of Representation	21	1.1%
Statutory Violation	6	0.3%
Supervise Subordinates	17	0.9%
Trust Account Violations	86	4.6%
Unauthorized Practice	12	0.6%
Unreasonable Fees	117	6.2%
Violation of Decision	6	0.3%
Violation of Oath	35	1.9%
Other	55	2.6%

**APPENDIX 8B**

**SURVEY OF GRIEVANCES RECEIVED DURING**

**FISCAL YEAR 2006-2007**

**Categorized by Area of Practice**

<b>AREA OF PRACTICE</b>	<b>TOTAL</b>	<b>PERCENTAGE OF TOTAL AREA OF PRACTICE</b>
Administrative & Government Law	23	1.2%
Bankruptcy-Receivership	50	2.7%
Collections, Garnishments	48	2.6%
Contracts, Commercial, Consumer Law	19	1.0%
Corporate-Banking	20	1.1%
Criminal Law	623	33.1%
Estate-Probate, Guardianship & Wills	116	6.2%
Family Law & Juvenile	370	19.7%
Immigration & Naturalization	16	0.9%
Insurance	8	0.4%
Labor, Unemployment Compensation	9	0.5%
Landlord-Tenant	17	0.9%
Litigation	177	9.4%
Patent/Trademark	3	0.2%
Real Property	65	3.5%
Taxation	4	0.2%
Torts/Civil Rights	147	7.8%
Workers Compensation, Soc. Security	52	2.8%
Not Available	49	2.6%
Other	64	3.4%

**APPENDIX 8C**

**SURVEY OF GRIEVANCES RECEIVED DURING  
FISCAL YEAR 2006 - 2007**

**Categorized by Source of Grievance**

<b>SOURCE OF GRIEVANCE</b>	<b>TOTAL</b>	<b>PERCENTAGE OF TOTAL SOURCE OF GRIEVANCE</b>
Adverse Party	249	13.1%
Attorney	82	4.3%
Client	1072	57.0%
Judge	9	0.5%
OLR Staff	129	6.8%
Other Party	355	18.3%

## APPENDIX 9

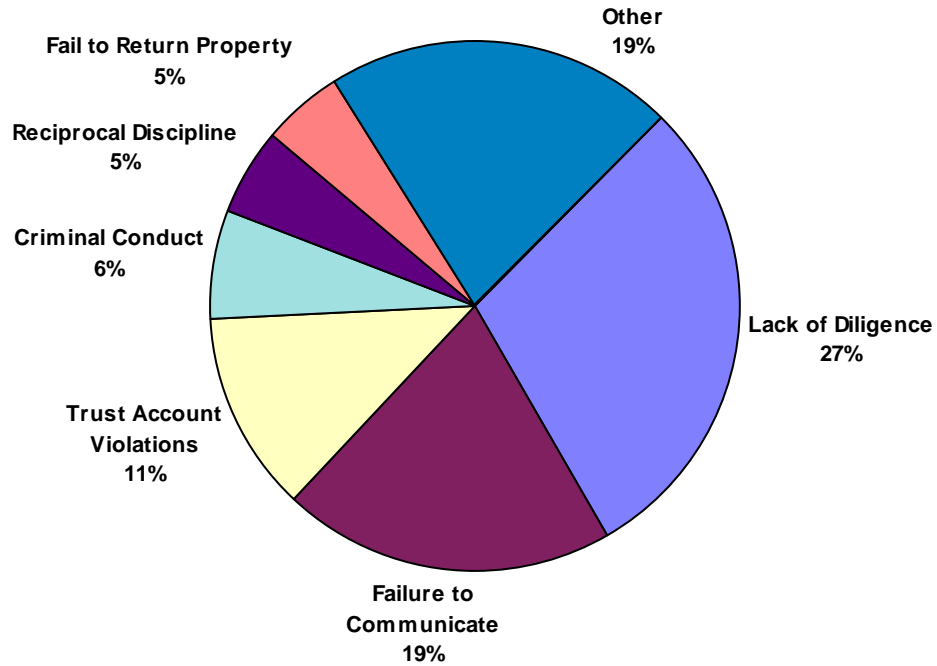
### PUBLICLY DISCIPLINED LAWYERS

#### AS A PERCENTAGE OF TOTAL LAWYER POPULATION

YEAR	NUMBER OF LAWYERS PUBLICLY DISCIPLINED	STATE BAR MEMBERSHIP	PERCENTAGE OF LAWYERS PUBLICLY DISCIPLINED
2006-07	58	22,637	0.3
2005-06	62	22,225	0.3
2004-05	44	21,837	0.2
2003-04	66	21,518	0.3
2002-03	46	21,112	0.2
2001-02	20	20,772	0.1
2000-01	37	20,551	0.2
1999-00	24	20,167	0.1
1998-99	34	19,984	0.2
1997-98	37	19,581	0.2
1996-97	28	19,301	0.1
1995-96	33	18,938	0.2
1994-95	47	18,558	0.3
1993-94	55	17,974	0.3
1992-93	69	17,648	0.4
1991-92	50	17,407	0.3
1990-91	45	16,334	0.3
1989-90	33	15,876	0.2
1988-89	38	15,451	0.2
1987-88	39	14,942	0.3
1986-87	32	14,533	0.2
1985-86	45	14,312	0.3
1984-85	38	14,096	0.3
1983-84	45	13,536	0.3
1982-83	36	13,300	0.3
1981-82	28	12,700	0.2
1980-81	20	12,300	0.2
1979-80	16	11,900	0.1
1978-79	11	11,600	0.1

**APPENDIX 10**

**VIOLATIONS FOR WHICH MISCONDUCT WAS FOUND IN PUBLIC  
DISCIPLINE DECISIONS  
Fiscal Year 2006-2007**



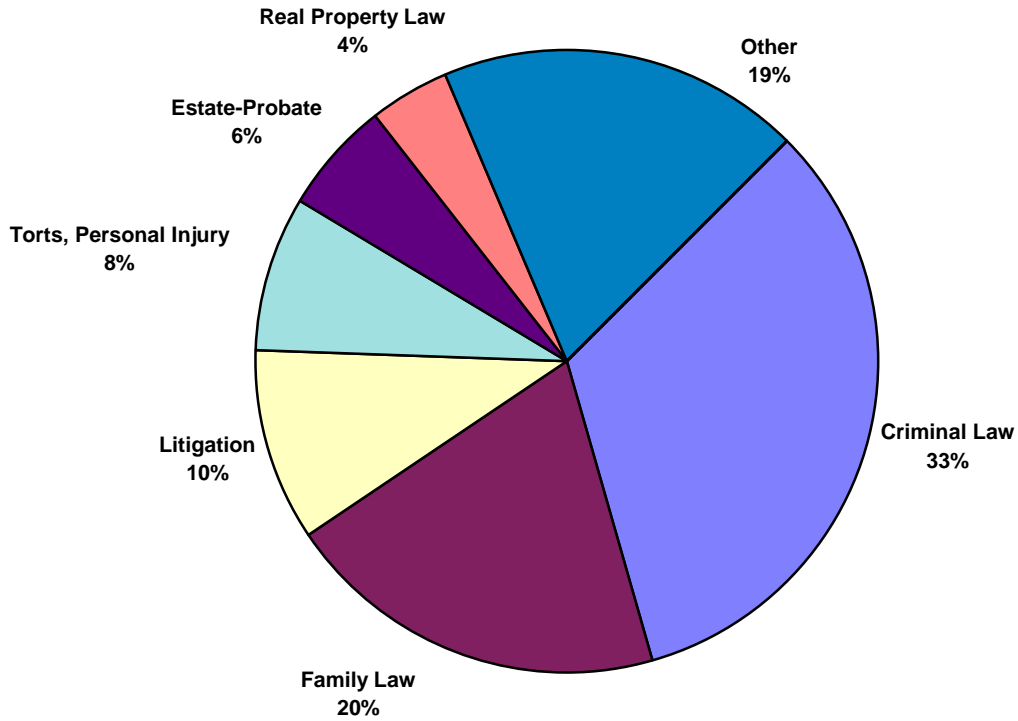
**OTHER**

**Conflict of Interest  
Medical Incapacity  
Improper Advocacy  
Improper Communication  
Improper Termination**

**Unauthorized Practice  
Incompetence  
Statutory Violation  
Frivolous Action  
Violation of Decision/Oath**

APPENDIX 11

AREAS OF PRACTICE IN WHICH MISCONDUCT WAS FOUND  
IN PUBLIC DISCIPLINE DECISIONS  
Fiscal Year 2006-2007



**OTHER**

**Admin/Government Law**  
**Contracts/Consumer**  
**Corporate/Banking**  
**Insurance**  
**Landlord/Tenant**  
**Taxation**

**Bankruptcy/Receivership**  
**Collections, Garnishment**  
**Immigration**  
**Labor/Unemployment Comp**  
**Patent/Trademark**  
**Workers Comp/Soc. Sec.**

**APPENDIX 12**  
**OFFICE OF LAWYER REGULATION**  
**2006-2007**  
**OUTREACH EFFORTS**

DATE	PRESENTER	EVENT
July 15, 2006	Sellen	Wis Assn of Trial lawyers
July 21, 2006	Weigel	Habush firm CLE
August 3, 2006	Weigel	NOBC Hawaii Convention
October 6, 2006	Sellen	WisLAP Training
October 19, 2006	Weigel	Lorman Seminar
October 26, 27, 2006	Sellen	Legal Ethics 2006
October 28, 2006	Smith	Trust Account Seminar
November 2, 2006	Sellen	Lorman Seminar
Novmeber 3, 2006	Staff	Ethics School
November 3, 2006	Weigel	Assn of Workers Comp Attys
November 6, 2006	Weigel	Waukesha County Bar
November 8, 2006	Sellen	Ethics 2000
December 2, 2006	Sellen	WACDL Conference
December 2, 2006	Estes	WI Academy of Trial Lawyers
December 2, 2006	Weigel	WisLAP Seminar
December 7, 2006	Sellen	Corporate Practice Institute
December 8, 2006	Sellen	DOJ Ethics Presentation
February 13, 2007	Sellen	Outagamie County Bar Assn.
February 21, 2007	Sellen/Smith	Inns of Court
February 23, 2007	Sellen	Rotary Club
March 5, 2007	Weigel	Meeting of Immigration Judges
March 6, 2007	Sellen	Edgewood College Presentation
March 27, 2007	Sellen	Manitowoc County Bar Assn.

DATE	PRESENTER	EVENT
April 10, 2007	Weigel	Trafficking in Ethics
April 24, 2007	O'Connell/Sellen	New Dist Com Member Training
April 27, 2007	Smith	Trust Account Seminar
April 30, 2007	Sellen	Presentation to Quarles & Brady
May 3, 2007	Sellen	Waukesha County Bar Assn.
May 9, 2007	Sellen	New Dist Com Member Training
May 10, 2007	Sellen	Government Lawyers Division
May 11, 2007	Sellen/Weigel	Referee – Counsel Luncheon
May 17, 2007	Sellen	State Bar Webcast
June 19, 2007	Sellen	State Bar Webcast
June 22, 2007	Weigel	Chippewa Bar/WisLAP
June 22, 2007	Sellen	Milwaukee Bar Assn.