

SUPREME COURT AGENDA

Rules Hearing & Open Administrative Conference

Wednesday, April 25, 2012

9:30 a.m.

Supreme Court Hearing Room

Public Hearing

- I. Rules Petition 11-07: In the Matter of the Petition For Providing Legal Services Following a Determination of Major Disaster - filed 8/31/11. Letter to interested parties sent 10/14/11; letter to petitioner seeking add'l information sent 10/14/11; staff preliminary memo circulated 11/21/11; staff memo to be circulated
- II. Rules Petition 11-09: In re amendment of SCR 60.04(1)(g), relating to ex parte communications in treatment courts - filed 12/12/11. Staff preliminary memo circulated 2/15/12; letter to interested parties sent 3/13/12; staff memo to be circulated

Open Administrative Conference

- III. Discussion & decision re: Rules Petition 11-07
- IV. Discussion & decision re: Rules Petition 11-09
- V. Rules Petition 08-02: Report on petition to amend Wis. Stat. § (Rule) 809.23 regarding citation to unpublished opinions (three-year review of rule pursuant to order issued Jan. 6, 2009)
- VI. Rules Petition 11-04: Petition for voluntary bar filed 7/6/11 by Steve Levine and James Thiel. Court directed Commissioner to prepare Memorandum. Court discussed matter in open conference on 11/7/11. Motion to create SCR 10.10 Committee.

Motion to create SCR 10.10 Committee denied by J. Prosser, Roggensack, Gableman and Ziegler. Motion to hold public hearing on petition to create voluntary bar denied by J. Prosser, Roggensack, Gableman and Ziegler. Motion to deny petition for voluntary bar adopted by J. Prosser, Roggensack, Gableman and Ziegler.

Order drafted and circulated. **(Awaiting votes; SSA to circulate dissent)**
- VII. PDR drafted order to adopt her proposal to close administrative conferences. **(Awaiting votes and SSA dissent)**
- VIII. Rules Petition 12-03: Petition to amend Wis. Stat. §§ 804.01, 805.07 and 905.03 relating to inadvertent disclosure of protected or privileged information. Staff

preliminary memo circulated 3/28/12. **Court is to vote on whether to adopt, reject, hold public hearing, etc.**

- IX. Request of Steve Levine for staff memoranda in Rules Petitions 11-05 and 12-02: Court to vote.
- X. E-mail from Nancy Rottier: “One of the recently enacted laws is 2011 Wisconsin Act 209 creating a fee waiver program for veterans. Under the legislation, veterans who meet the eligibility requirements would receive a waiver of the initial licensing fee for most licenses granted by state agencies. The act also requests the Supreme Court to promulgate a rule waiving the initial admission fee for lawyers admitted to practice.” Should a petition be drafted?

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The following matters probably will not be ready for discussion on April 25, 2012. They are shown as status reports. If they become ready for discussion, notice will be given.

- I. Rules Petition 09-07: Petition to modify ch. 72 of the Supreme Court Rules (Expunction of Records) (not ready for discussion)
- II. Rules Petition 12-01: Wisconsin Supreme Court Advisory Committee on Rule Procedures Report and Recommendations submitted to the Supreme Court in May 2011 regarding the court's rule making function. Public hearing held 3/5/12.
- XI. Rules Petition 11-05: In the Matter of the Petition to Review Change in State Bar Bylaws - Article I, Section 5 (filed 7/6/11 by 25 State Bar members, forwarded to Court by Steven Levine): Commissioner’s materials dated 8/17/11. Discussed at open administrative conference on 9/15/11. Briefing order on arbitration and court’s authority on by-laws issued 10/6/11; briefs received. Staff memo dated 11/21/11; matter not reached at 12/5/11, 1/11/12, 1/19/12 open conferences. Public hearing to be held 5/16/12.
- XII. Rules Petition 11-08: In the Matter to Amend SCR 40.02(2) and to Create SCR 40.055 and 40.14(3)(i) Relating to the Legal Competence Requirements of Graduates of Law Schools in Other Nations; Fees – filed 11/18/11; Follow up letter to BBE— response due 2/15/12. Staff preliminary memo circulated 2/15/12. Public hearing to be held 5/16/12.
- XIII. Rules Petition 12-02: Petition requesting information pursuant to SCR 40.12 and petition to create SCR 30.03 and to repeal SCR 40.12, requiring the Board of Bar Examiners to abide by the State Open Records law and Open Meeting laws. Staff preliminary memo circulated 2/15/12. Public hearing to be held 5/16/12.