



Board of Bar Examiners

2024
Annual Report

Annual Report of the Board of Bar Examiners

2024

Calendar Year

INTRODUCTION

Pursuant to Supreme Court Rule (SCR) 30.01 (2), the Board of Bar Examiners (BBE) is filing this annual report on its activities during the calendar year 2023. The BBE has general supervisory authority over SCR Chapter 31, Continuing Legal Education, and Chapter 40, Admission to the Bar. The BBE's mandate is to protect the people of Wisconsin by assuring that only capable and competent applicants who meet the character and fitness requirements are admitted to the practice of law in the state, and that attorneys licensed in the state maintain their legal competence through continuing legal education.

MEMBERSHIP AND STAFFING OF THE BOARD

The Board of Bar Examiners has general supervisory authority over the administration of admission to the bar by examination and upon proof of practice. It conducts character and fitness investigations of all candidates for admission including those seeking admission by diploma privilege. The BBE also supervises and monitors attorneys' compliance with the Wisconsin mandatory continuing legal education requirement.

The membership of the Board in 2024 was as follows:

Prof. Daniel Blinka	Milwaukee	Chairperson
Atty. Linda S. Isnard	Cedarburg	Vice Chairperson
Atty. Brian Anderson	Green Bay	
Atty. Todd Dickey	Green Bay	
Ms. Diane Fremgen	Madison	
Atty. Jason Hanson	DeForest	
Assoc. Dean Kevin Kelly	Sun Prairie	
Hon. Scott Needham	Hudson	
Mr. Peter Sorce	Germantown	
Mr. Travis Stein	Cottage Grove	
Atty. Megan Stelljes	Madison	

The Board held eight meetings in 2024. In addition to attendance at its meetings, the majority of attorney Board members grade the Wisconsin bar exams.

STAFFING OF THE BOARD

In 2024 the full time staff of the Board included the following:

Atty. Jacquelynn B. Rothstein	Executive Director & General Counsel
Ms. April Ashley	Bar Application Manager
Mr. John Baggot	Program Assistant
Mr. Ben Converse	Bar Application Manager
Ms. Alex Hebda	CLE Records Manager
Ms. Tammy McMillen	CLE Records Manager
Mr. Stuart Moeser	Character and Fitness Investigator/Proof of Practice Manager



FUNDING SOURCES AND EXPENDITURES

The mandatory continuing legal education requirement was self-funded in fiscal year 2024 by an annual assessment of lawyers on active and inactive status as of July 1, 2023, per State Bar of Wisconsin records, who paid \$11.00 and \$5.50, respectively. The bar admission portion of the Board's responsibilities are also entirely self-funded.

Other fees were as follows:

Wisconsin Bar Examination (WBE): \$450

Application via foreign schooled applicant: \$850

Application for admission on Proof of Practice Elsewhere (PPE) (reciprocity): \$850

Diploma Privilege (DP) character and fitness (C&F) certification: \$210

Late filing fee for the WBE and C&F: \$200

Late filing fee for CLE Reporting: \$100

Reinstatement/Readmission fee: \$200

In addition, the Board realized revenue from late filing fees and reinstatement fees authorized by the court, and from miscellaneous fees (copying, duplicate admission certificates, past examination sales, etc.).

FUNDING SOURCES AND EXPENDITURES

Revenues and expenses shown are for Fiscal Year 2024.

Revenues

Licensing Activity	\$515,800.00
Education	<u>235,700.00</u>

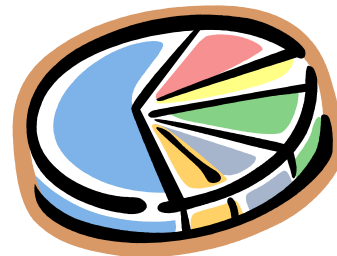
Total 2023 Revenues **\$763,400.00**

Expenditures

Permanent Salaries	\$426,964.00
LTE Salaries	7,062.00
Fringe Benefits	186,446.00

Supplies, Services, and Capital 240,745.00

Total 2024 Expenditures **\$861,217.00**



MANDATORY CONTINUING LEGAL EDUCATION

Reporting Requirements

Chapter 31 of the Supreme Court Rules mandates that all active attorneys attend a minimum of thirty (30) hours of approved continuing legal education (CLE) every two years. The Supreme Court Rules also mandate that a minimum of three of the thirty hours must be Ethics and Professional Responsibility (EPR) credits. The rules further provide that attorneys who did not engage in the practice of law during the reporting period are exempt from the attendance requirement but must comply with the reporting requirement. Additionally, on January 11, 2008, the Supreme Court issued an Order adopting a “pure comity” rule which became effective for the CLE reporting period ending December 31, 2008. Under the “comity” rule (SCR 31.04 (3)), “A lawyer whose practice is principally in another jurisdiction that has mandatory continuing legal education requirements and who is current in meeting those requirements is exempt from the attendance requirement of SCR 31.02, but shall comply with the reporting requirement of SCR 31.03.”

The BBE and the Consolidated Courts Automation Program office (CCAP) collaborated on the development of an electronic CLE reporting program which was first offered in 2008.

Beginning with the 2016-17 reporting cycle, all attorneys are now required to electronically file their CLE report using the e-filing program. Additionally, effective July 1, 2017, two new categories of CLE may be used. Those include “Lawyer Awareness and Understanding” and “Law Practice Management.” Each category is limited to six (6) credits per reporting period. Also, as of July 1, 2017, attorneys may report an additional five (5) hours of “on demand” credits for a total of fifteen (15). Attorneys are also eligible to earn up to six (6) credits for providing legal services to qualified *pro bono* programs.

MANDATORY CONTINUING LEGAL EDUCATION (continued)

CLE Compliance

Pursuant to the Wisconsin Supreme Court Rules, attorneys who are not in compliance with the mandatory CLE attendance and reporting requirements are suspended from the practice of law following a notice of non-compliance. Since its inception in 1977, there have been six thousand eight hundred twenty-seven (6,827) lawyers who have been suspended for non-compliance with the mandatory continuing legal education requirements. At the end of 2024 calendar year, there were three thousand four hundred fifty-four (3454) attorneys who remained suspended.

Reporting Cycles	2019-20	2020-21	2021-22	2022-23	2023-24
Lawyers required to report CLE compliance	8609	8813	8601	8980	8812

Number of Attorneys Suspended for Non-Compliance				
2020 (2018-2019 reporting cycle)	2021 (2019-2020 reporting cycle)	2022 (2020-2021 reporting cycle)	2023 (2021-2022 reporting cycle)	2024 (2022-2023 reporting cycle)
202	200	189	184	172

Number of Attorneys Reinstated				
2020	2021	2022	2023	2024
89	89	106	83	104



CLE Course Information

In 2024, lawyers again had a wide range of educational activities from which to choose in order to meet their mandatory requirements. Besides live programs, other modes of course presentation included video replays, live webcasts, national teleconferences, and repeated “on-demand” online courses. General Program Approval (GPA), the annual institutional approval available to some CLE sponsors, was extended to thirty-two (32) organizations.

Totals	2020	2021	2022	2023	2024*
Courses Approved	9147	9874	9559	10899	11196
CLE Activities provided in Wisconsin	2251	9405	1100	1156	1332
Repeated On-Demand courses	2005	2324	2512	2704	2957
Live Webcasts offered	6034	6842	5897	6178	6337
National Teleconferences offered	1358	903	643	442	422
Approved for Ethics (EPR)	3751	3653	3572	3802	4269

(*as of the data collection date for the 2024 Annual Report)

MANDATORY CONTINUING LEGAL EDUCATION (continued)

GAL Course Approvals

The Board also approves Guardian Ad Litem (GAL) courses under Chapters 35 and 36 of the Supreme Court Rules.

Guardian Ad Litem Course Approvals	2020	2021	2022	2023	2024*
GAL - Minors	54	78	93	50	67
GAL - Adult	6	11	24	16	21
GAL - Family	54	78	93	50	67

(*as of the data collection date for the 2024 Annual Report)

CLE Course Denials

CLE course approval was denied in two hundred ninety-three (293) cases. The main reason for CLE course denials was for courses pertaining to marketing, advertising, “rain-making,” profitability, and similar types of courses which were deemed not to be related specifically to improving attorneys’ professional competence as attorneys as required by the Supreme Court Rules, but could apply to any business entity. EPR approval was denied for approximately eighty-nine (89) courses. The principal reason for denial of approval was the failure to have a continuous hour of EPR as required by SCR 31.07 (5) or not meeting the objective of increasing an attendee’s professional competence as an attorney as required by SCR 31.07 (2) (a) or (b).



MISCELLANEOUS ACTIONS

The Board also carried out the following actions:	2020	2021	2022	2023	2024
Reinstatements (under SCR Chapter 40) (CLE and/or Dues Suspension exceeding 3+ Years)	9	17	13	20	27
Chapter 31 reinstatements (following a CLE suspension of less than three (3) years)	97	107	94	70	87
Readmission following voluntary resignation from the bar and inactive 10+ years	13	12	22	20	17
Name changes	73	67	49	83	91

ADMISSION TO THE PRACTICE OF LAW



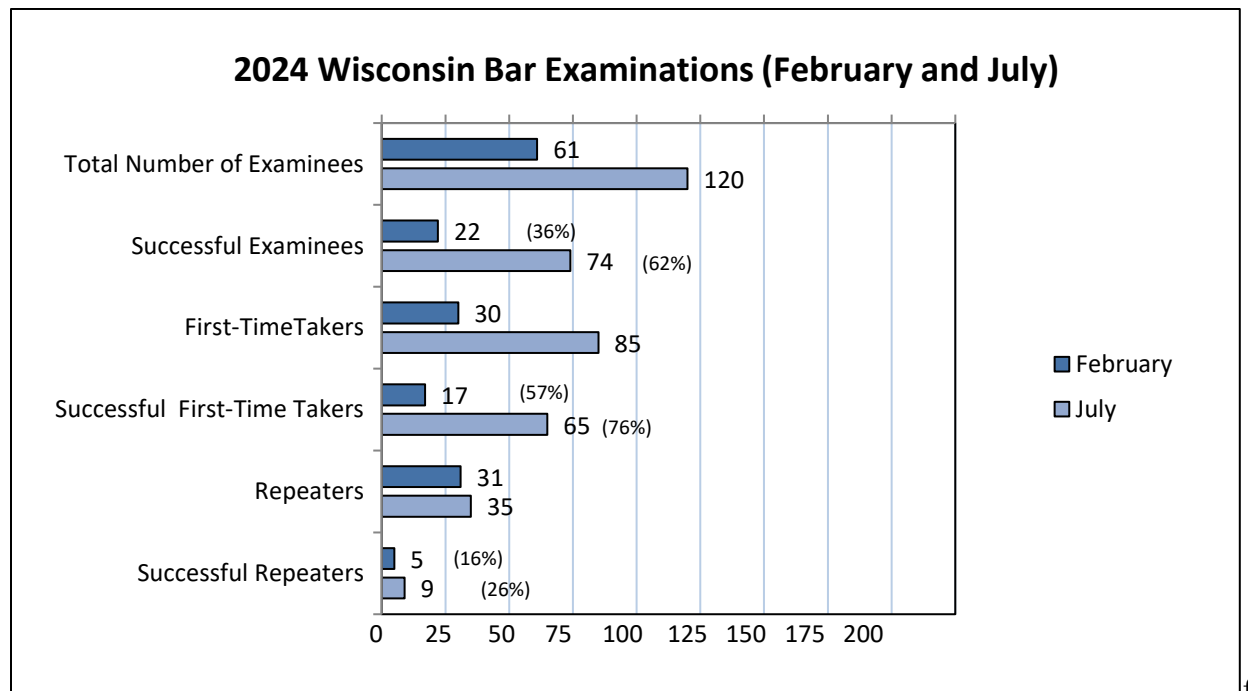
Diploma Privilege

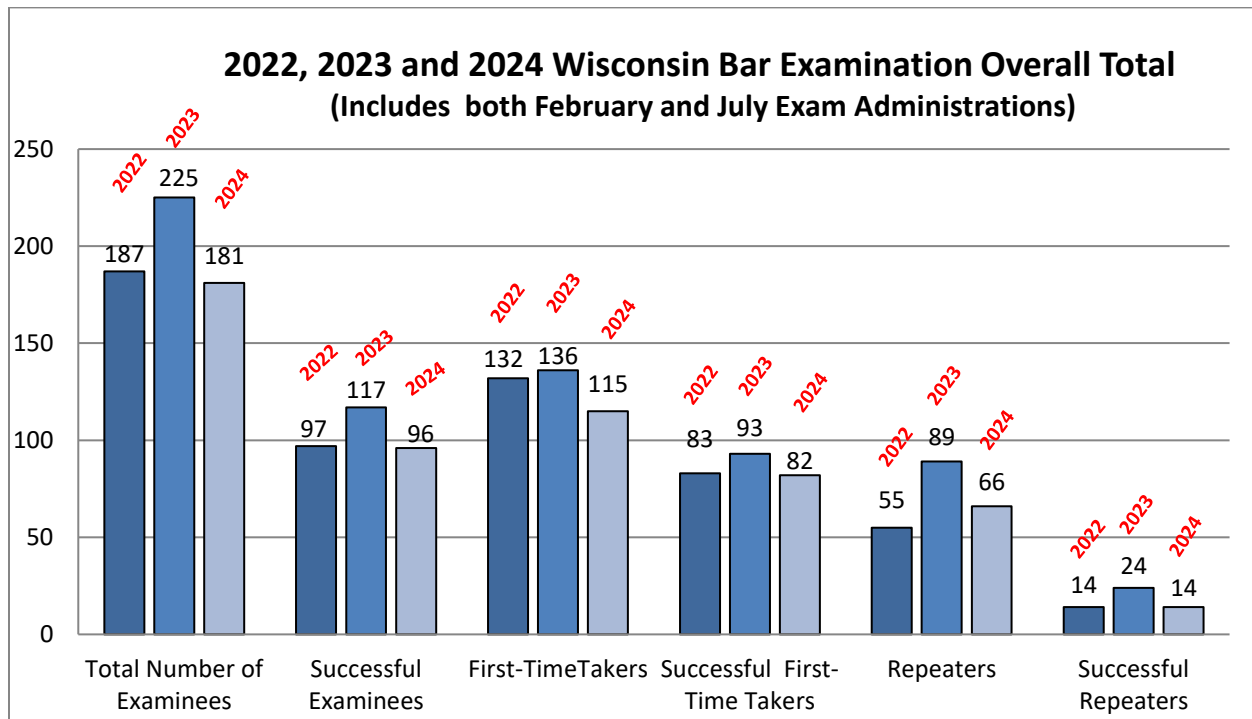
In 2024, the Board received four hundred and four (404) applications for character and fitness certifications from prospective graduates of the University of Wisconsin and Marquette University law schools under SCR 40.03 and 40.06. This represents a decrease of sixteen (16) applications from the previous year. Four hundred fifty-seven (457) were admitted to the Wisconsin Supreme Court in 2024, which may include those who graduated in prior years but who were not admitted until 2024.

No diploma privilege applications were withdrawn in 2024. However, there were seven (7) applicants who failed to complete their files within one year after filing as required under BA 6.06 (SCR Chapter 40 Appendix). Additionally, there was one (1) applicant whose file was closed for failing to be sworn in within a year of certification as required by SCR 40.09 (1).

Wisconsin Bar Exam

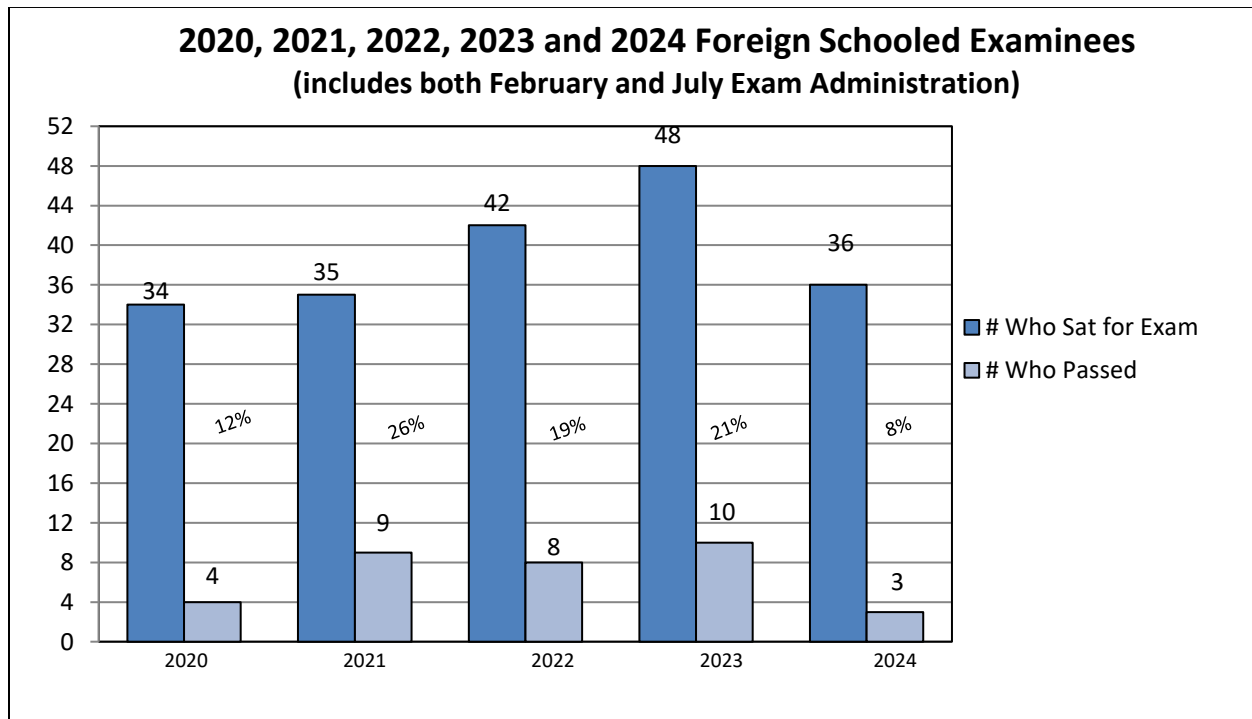
The Board administered two bar examinations in 2024 to a total of one hundred eighty-one (181) applicants. This represents a decrease from the previous year in which there were two hundred twenty-five (225) applicants. Statistical information is as follows:





Foreign School Examinees (Law Schools outside of the U.S.)

In February 2024, thirteen (13) foreign schooled graduates sat for the exam and none passed. In July 2024, thirty-six (36) foreign schooled graduates sat for the exam and three (3) passed.



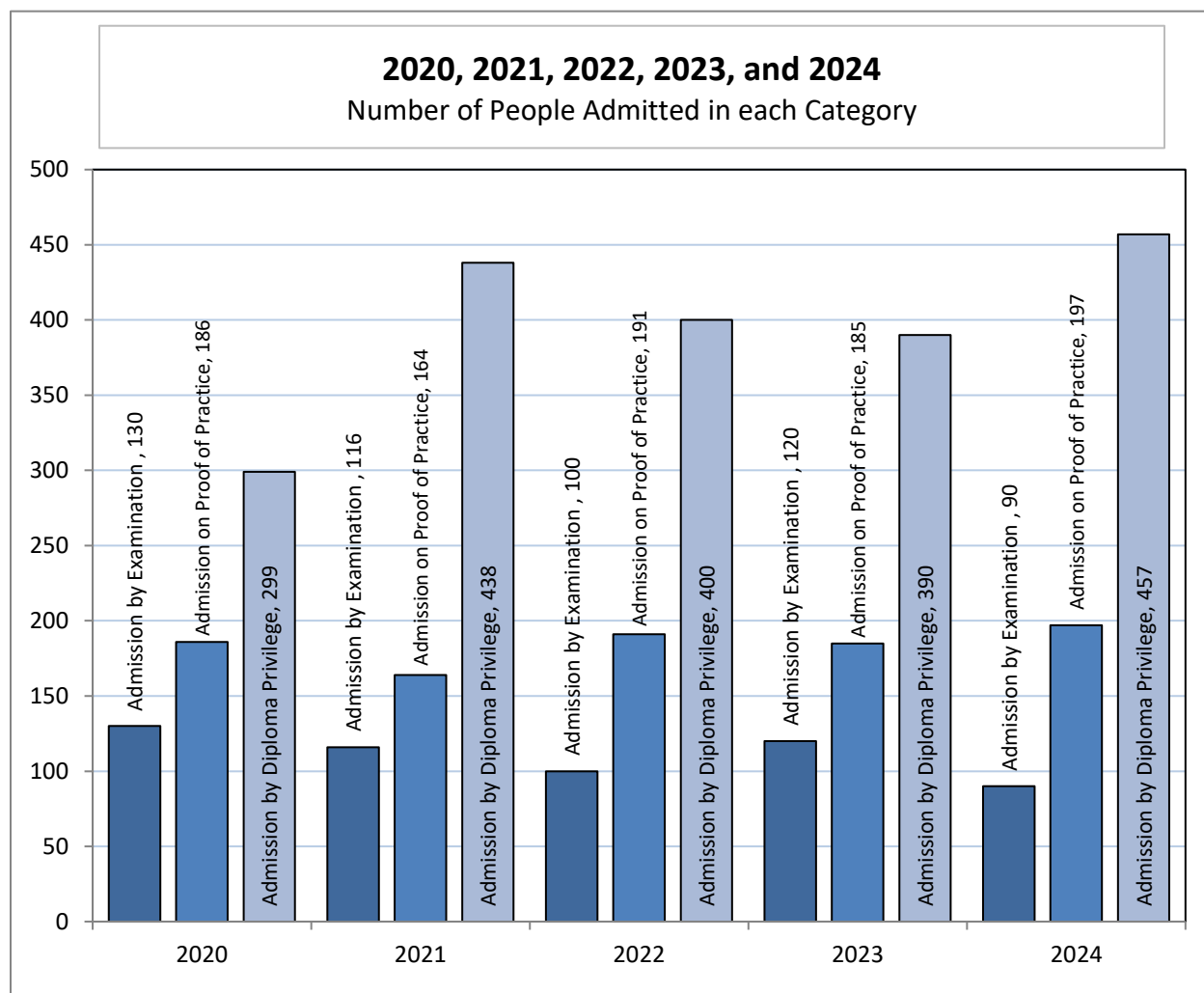
ADMISSION TO THE PRACTICE OF LAW (continued)

Proof of Practice Elsewhere

In addition, under SCR 40.05, the Board processed applications for proof of practice elsewhere (previously known as “reciprocity” or “application on foreign license”). In 2024 the Board received two hundred nineteen (219) applications, a 13% increase from the previous year. Two hundred and six (206) were certified, while one hundred ninety-seven (197) were actually admitted in 2024. Two (2) applications were withdrawn. Twelve (12) files were closed for a variety of reasons including: failing to meet the legal practice requirement; failing to become admitted within a year of certification; and failing to complete files within one year.

In House Counsel Registrations

Under SCR 10.03, the Board registered forty-eight (48) attorneys as in-house counsel in 2024.



ADMISSION TO THE PRACTICE OF LAW (continued)

CONDITIONAL ADMISSION

On June 8, 2011, SCR 40.075 went into effect, authorizing conditional admission. Certain exceptions notwithstanding, the fact that an individual is conditionally admitted and the terms of the conditional admission agreement are both confidential. In 2024, two (2) people were admitted conditionally. In addition, four (4) people were successfully discharged from conditional admission. Overall, four (4) attorneys are currently conditionally admitted.

Reasons For Conditional Admission	Number of Attorneys
Financial	0
Alcohol or Other Drug	0
Mental Health	0
Mental Health/Alcohol or Other Drug(s)	2
Conditional Admission in Another State	0
Non-Disclosure Issues	0
Total Admitted Conditionally	2



DENIAL OF ADMISSION

The Board denies admission to the practice of law in Wisconsin by first notifying the applicant in writing that he or she is at risk of being denied. Applicants are given the basis for the denial and are also provided with the materials upon which the Board based its decision. Applicants are further advised about the timeframe in which to respond and, if desired, to request a hearing. An applicant who is denied admission may petition the Supreme Court for a review of the Board's adverse determination under to SCR 40.08.

DIRECTOR'S NOTES AND OTHER ITEMS

In January of 2024, the Board was pleased to welcome two new members, Attorney Todd Dickey from Green Bay, and Attorney Jason Hanson from the Madison area.

Throughout 2024, the Board continued to assess the “NextGen exam,” which is intended to replace the existing bar exam currently comprised of three components (the Multistate Performance Exam, the Multistate Essay Exam, and the Multistate Bar Exam). Both exams are produced by the National Conference of Bar Examiners (NCBE). The NextGen exam underwent nation-wide prototype testing in October. Following that testing, administrators from around the country shared their observations about the exam with the NCBE. Several concerns about the prototype were identified, including, for instance, the lack of a universal start and stop times, difficulties with WiFi connectivity, troubles with various laptop computers, as well as issues involving the technology vendor.

Despite those concerns, at its December 2024 meeting, the Board reported to the Court that it is favorably disposed towards adopting the NextGen exam. During the coming year, the Board also intends to finalize its decision with regard to how to augment the NextGen exam with a “Wisconsin component.” The primary focus of the Wisconsin component will likely be on the diploma privilege subjects found in Chapter 40 of the Supreme Court Rules. The final administration of the current version of the bar exam is slated for February of 2028, with the first administration of the “new” bar exam expected to occur in July of 2028.

Happily, both the February and July 2024 bar examinations went smoothly. There were sixty-one people who took the February exam, which was the lowest number of test-takers for any exam within the past fifteen years. BBE staff also traveled to each of the Wisconsin law schools to discuss the bar application process and to address questions from third year law students surrounding the character and fitness investigations that they all undergo.

Additionally and with regard to continuing legal education, a large majority of course sponsors have become acclimated to utilizing the BBE’s electronic-based CLE course approval system, and have been routinely using it to submit courses. The Board also approved changes to the form used to seek approval for published legal writing, which now includes a certification provision whereby the author will need to indicate whether artificial intelligence (AI) was used to produce the publication. Authors utilizing AI will need to certify that any legal citations were verified for authenticity and accuracy. There is also a pending rule petition before the Court which would enable attorneys to take a maximum of six (6) CLE credits on the subjects of cultural competency and the reduction of bias within the legal system. The Court is expected to hold a public hearing about the proposed rule in early 2025.

As in past years, several Board members and the BBE Director attended conferences sponsored by the NCBE and the Council of Bar Admissions Administrators, which were especially valuable given the impending changes to the bar exam. Finally, a heartfelt thanks is owed to our Board and BBE staff for making 2024 another successful year.

Respectfully submitted,

Jacquelynn B. Rothstein
Executive Director & General Counsel
Wisconsin Board of Bar Examiners

