

Supreme Court of Misconsin OFFICE OF LAWYER REGULATION

> PO Box 1648 Madison, WI 53701-1648 www.wicourts.gov/olr

**CENTRAL INTAKE** (608) 267-7274 olr.intake@wicourts.gov

OLR is an agency of the Supreme Court of Wisconsin that evaluates allegations of ethical misconduct by lawyers to determine if they have violated the Wisconsin Supreme Court Rules of Professional Conduct for Attorneys.

## What OLR <u>Can't</u> Do

- Remove or replace a lawyer
- Give legal advice
- Overturn unfavorable court orders or intervene in a court case
- Award money damages or property
- Make a finding that a criminal defense lawyer provided ineffective assistance of counsel
- Investigate a judge

## What OLR Can Do

- Evaluate information presented by individuals, lawyers, and witnesses to determine whether there is clear, satisfactory, and convincing evidence that a lawyer violated the Rules of Professional Conduct.
- If there is sufficient evidence of a minor Rule violation, OLR may pursue a remedial solution, such as diversion to an educational program or dismissal with advice. This achieves the goal of protecting the public from future misconduct and educating lawyers without a history of professional discipline.
- For more serious misconduct, OLR may pursue a disciplinary sanction against the lawyer's license, which can include private reprimand, public reprimand, suspension, or revocation.

## What to Expect After Filing a Grievance

• One of OLR's trained intake staff members will review your concerns and conduct a preliminary evaluation pursuant to the Supreme Court Rules.

OLR receives a high volume of grievances so it may take **eight weeks or more** for the assigned staff member to contact you. Please gather information regarding your grievance such as fee agreements, letters, or court documents, and contact information for witnesses.

- The assigned staff member will contact you by telephone, email, or letter to request any additional information and respond to any questions you may have.
- The assigned staff member will also contact the lawyer involved to inform them of the grievance and allow them to respond.

Although all grievances filed with OLR are confidential, OLR shares your grievance and supporting information with the lawyer so they may respond to it.

- After considering the information, the assigned staff member will make a recommendation to the Deputy Director of Intake as to whether OLR pursues disciplinary action, a remedial solution, or closes the grievance.
- You and the lawyer will receive written notice of the result of the preliminary evaluation.

## **Potential Outcomes of the Preliminary Evaluation**

- If the Rules are not implicated or there is not clear, satisfactory, and convincing evidence of any Rule violation, the matter will be closed.
- If the lawyer's actions fall outside the six-year statute of limitation period, the matter will be closed.
- If there is clear, satisfactory, and convincing evidence of a minor Rule violation, OLR may pursue a remedial solution, such as a diversion agreement or closure with advice.
- If there is clear, satisfactory, and convincing evidence of more serious ethical misconduct, OLR Intake may pursue a consensual private or public reprimand, or refer the matter for formal investigation.
- OLR may also request the lawyer arbitrate a fee dispute or attempt to reconcile a minor dispute between you and the lawyer.
- OLR may refer you to another agency that is better able to address your concerns.

If your grievance is closed and you disagree with the decision, you can, within 30 days of the date of the closing letter, request OLR's Director review the closure decision.

If a matter is referred for formal investigation, an investigator will be assigned and contact you regarding next steps.