



OFFICE OF THE CLERK

Supreme Court of Wisconsin

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November 19, 2020

To:

Callum T. Evans
4533 McArthur Blvd., #5017
Newport Beach, CA 92660

Jacquelynn Rothstein
Board of Bar Examiners
P.O. Box 2748
Madison, WI 53701-2748

You are hereby notified that the Court has entered the following order:

No. 2020AP1528-BA Evans v. Board of Bar Examiners

Petitioner Callum T. Evans seeks review pursuant to Supreme Court Rule (SCR) 40.08(7) of a decision rendered by the Director of the Board of Bar Examiners (BBE), Jacquelynn B. Rothstein, rejecting Mr. Evans' application to register as in-house counsel under SCR 10.03(4)(f). By order dated September 24, 2020, this court directed the BBE to file the record in this matter and to file a written response to the petition on or before October 8, 2020. The BBE complied. The court has reviewed the filings received to date.

Because this case arises under SCR 10.03(4)(f), the procedures in SCR 40.08 by which the recipient of an adverse determination first seeks review from the Board before seeking review in this court do not clearly apply. We have determined, however, that to undertake the requested review requires fact-finding, and this is not a fact-finding court. Accordingly, we remand this matter to the Board for its consideration.

The Board shall, within two weeks of the date of this order, offer Mr. Evans the opportunity to appear at a hearing, which may be conducted by videoconference. Within two weeks of receipt of the Board's invitation, Mr. Evans shall advise the Board whether he wishes to appear at a hearing. If Mr. Evans elects to appear at a hearing, the Board shall schedule and provide notice of the hearing promptly, in a manner consistent with SCR 40.08(3)-(4). If he declines, the Board shall proceed to consider the matter based on the written submissions in the record. The Board shall undertake its review and shall render a written decision in a manner consistent with SCR 40.08(5) and (6), as soon as reasonably practicable. Therefore, Mr. Evans may seek review in this court under SCR 40.08(7) if the Board's decision is adverse. Therefore,

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IT IS ORDERED that this matter, including the record, is remanded to the Board of Bar Examiners with directions to proceed in the manner set forth in the body of this order.

Sheila T. Reiff
Clerk of Supreme Court