OFFICE OF THE CLERK

Supreme Court of Wisconsin

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WI 53701-1688

TELEPHONE (608) 266-1880
FACSIMILE (608) 267-0640
Web Site: www.wicourts.gov

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To:

C. Murray Harris
750 W. Virginia Street
Milwaukee, WI 53204
murrayharris@gmail.com

State Bar of Wisconsin
P.O. Box 7158
Madison, WI 53707-7158

Frank Sullivan
Melissa Chicker
Office of Lawyer Regulation
110 E. Main Street, Suite 315
Madison, WI 53703-3383

Jacquelynn Rothstein
Board of Bar Examiners
110 E. Main Street, Suite 715
Madison, WI 53703-3383

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

In the Matter of the Admission of C. Murray Harris to the Practice of Law

In June, August, and October, 2020, the State Bar of Wisconsin informed this court that Attorney C. Murray Harris had not enrolled in the State Bar and had also failed to respond to its certified letter requesting that he do so. On August 25, 2022, and again on September 29, 2022, this court issued orders directing Attorney Harris to show cause why his license to practice law in Wisconsin should not be suspended for his failure to enroll in the State Bar as required by SCR 10.03(2). Attorney Harris has filed no response;

IT IS ORDERED that the license of Attorney C. Murray Harris to practice law in Wisconsin is temporarily suspended as of the date of this order. Attorney Harris shall comply with the requirements of SCR 22.26 relating to license suspension if he has not already done so.

REBECCA GRASSL BRADLEY, J. *(concurring).*

> I can live with no responsibility whatsoever. The price I pay is that nothing matters. Or I can reverse it and everything matters, but I have to take the responsibility that's associated with that.

Jordan Peterson, Professor, Univ. of Toronto, Lecture: Everything Matters or Nothing Matters, at 3:39 (uploaded Dec. 3, 2019), https://www.youtube.com/watch?v=pBi9OTWCa5w.

I concur with this court's decision to temporarily suspend the law license of C. Murray Harris. I write separately to address the dissent's disregard for personal responsibility. Contrary to the dissent's lament, no one but Attorney Harris is at fault for his failure to enroll in the State Bar of Wisconsin.

A simple review of the facts makes clear the propriety of this court's decision. Attorney Harris has not joined the Bar despite possessing a law license for nearly three years. Accordingly, he has long been in violation of SCR 10.03(2) (2020), which requires attorneys to enroll in the Bar within 10 days after the admission to practice. He has continued to be in violation even though the clerk of this court emailed Attorney Harris in May 2022 advising him that he needed to enroll:

> Good afternoon,
>
> Records indicate that you have been sworn in to the . . . Bar but have never completed enrollment. Please advise if you have completed your enrollment in [t]he . . . Bar. If you have not enrolled, please do so as soon as possible. If you no longer have the enrollment forms, please contact the . . . Bar directly at 608-257-3838 or customerservice@wisbar.org and they can send you the forms electronically.
>
> Your admission to practice law in Wisconsin is not final until you have enrolled with [t]he . . . Bar . . . . Pursuant to SCR 10.03(2), you are required to enroll in the . . . Bar within 10 days after admission to practice.
>
> We will hold the failure to enroll information we received from [t]he . . . Bar . . . until May 27, 2022, before notifying the court.
>
> Clerk of Supreme Court
> And Court of Appeals Office

Attorney Harris responded, stating: "Thank you . . . . My apologies – I'm not sure exactly where I dropped the ball to be honest. I will email to get those forms right now and complete them immediately." Attorney Harris did not enroll, however. Subsequently, this court twice ordered Attorney Harris to show cause as to why his license should not be suspended for failure to enroll. These orders were sent to Attorney Harris's address of record by certified mail, but both were

returned without a signed receipt. Failure to "promptly" report a change of address is a standalone violation of SCR 10.03(2).

Under the circumstances, if SCR 10.03(2) is to matter, this court must enforce the rule by temporarily suspending Attorney Harris's license. The dissent not only disagrees but castigates this court for Attorney Harris's failure. The dissent would have this court take on a parental role, in which this court would "make greater efforts to ensure that attorneys who have failed to enroll in the . . . Bar have actually received the correspondence and orders informing them of . . . [their failure] and its repercussions." Dissent, ¶2 (quoting In re Admission of Connor, unpublished order (Wis. June 14, 2017) (Abrahamson & Ann Walsh Bradley, JJ., dissenting)). What the dissent has in mind is unclear, as even the dissent acknowledges Attorney Harris had actual notice that he was in violation of SCR 10.03(2). In email correspondence, the clerk of the supreme court informed Attorney Harris of the following:

- SCR 10.03(2) requires attorneys to enroll in the Bar within 10 days after admission;
- The clerk believes Attorney Harris is in violation of SCR 10.03(2);
- Attorney Harris should enroll in the Bar as soon as possible;
- If Attorney Harris does not understand the process to enroll, he should contact the Bar at the provided phone number or email; and
- If the clerk did not receive information confirming Attorney Harris's enrollment by a specific date, the clerk would notify this court.

The email used clear and simple language. It also cited the specific rule Attorney Harris was alleged to be violating. Attorney Harris then admitted to the clerk that he had "dropped the ball[.]" He dropped it again by not enrolling, and this court issued two orders to show cause. Given Attorney Harris's actual notice, the dissent's assertion that this court should ensure he has notice makes no sense.

This court oversees attorneys, not children. We rather reasonably expect attorneys will fulfill their professional responsibilities, particularly after they have been given multiple opportunities to remedy their lapses. I respectfully concur.

I am authorized to state that Chief Justice Annette Kingsland Ziegler joins this concurrence.

ANN WALSH BRADLEY, J. *(dissenting).* Temporarily suspending a license to practice law is a big deal. The effects are many, including endangering the attorney's livelihood and reputation. It should not be done lightly, without sufficient attempts to contact the attorney and assurances that the attempted contacts have met with success. In this case we have neither.

Over six years ago, in another failure to enroll case, I wrote "the State Bar and this court should make greater efforts to ensure that attorneys who have failed to enroll in the State Bar have actually received the correspondence and orders informing them of this fact and its repercussions." In re Admission of Kathryn Chelsea Connor, unpublished order (Wis. S. Ct. June 14, 2017) (Abrahamson and Ann Walsh Bradley, JJ., dissenting).

In another circumstance where temporary suspension is an available remedy, I joined a dissent which provided that "it would be better practice for this court to personally serve respondent-lawyers with orders to show cause why their [license should not be temporarily suspended]." OLR v. Goldmann, No. 2017XX594-D, unpublished order (Wis. S. Ct. June 13, 2017) (Abrahamson, J., dissenting).

A review of such cases reflects that sometimes personal service is utilized, see OLR v. Sayaovong, 2015 WI 100, 365 Wis. 2d 200, 871 N.W.2d 271; OLR v. Cannaday, No. 2013XX1207-D, unpublished order (Wis. S. Ct. October 15, 2013), and sometimes it is not.

The initial facts here are straightforward. On May 14, 2020, Attorney C. Murray Harris was admitted to the practice of law in Wisconsin. Pursuant to SCR 10.03(2) he was required to enroll in the State Bar of Wisconsin within 10 days after admission to practice. He failed to do so.

And from then on the facts become murky or inexplicable.

- On June 24, 2020, the State Bar of Wisconsin informed the clerk of this court that Harris had not enrolled. The normal practice would be for this court to issue an Order to Show Cause. But nothing happened.

- Yet again and again the State Bar notified the clerk's office that Harris had not enrolled, on August 28, 2020, October 15, 2020 and October 26, 2020. And again, inexplicably, no action was taken, and no order was issued.

- Two years later, on May 12, 2022, the clerks' office emailed Harris advising him that he needed to enroll, to which he responded he would do so immediately. He did not and the clerk's office made no further attempt to contact him, instead forwarding this matter to the court.

- Finally, this court on August 25, 2022, issued an Order to Show Cause why his license to practice law should not be suspended for failure to enroll. The problem, however, is that it was sent by certified mail and no signed receipt was ever returned. The court again on September 28, 2022, issued an Order to Show Cause, and again it was sent by certified mail, and again no signed receipt was ever returned.

This tortured tale reinforces the above referenced prior writings: (1) the State Bar, and most certainly here, this court, should make greater efforts to ensure that the attorneys who have failed to enroll in the State Bar have actually received the correspondence and orders informing

them of this fact and its repercussions, and (2) for such an important matter, certified mail with no signed, returned receipt fails to provide sufficient assurance of notification. As this court has previously done, albeit inconsistently, when such high stakes are at risk, that assurance requires personal service.

I understand that much of this case unfolded during the early days of COVID-19. But if that is an excuse for the court system, it should also serve as an excuse for Harris. I do not know if he was ever made aware of the repercussions of failure to enroll and I have no idea (nor does anyone else) whether he actually received the certified letter containing an Order to Show Cause.

Because I determine that our system would be better-served by both greater efforts to assure contact with the attorney and by personal service of the Order to Show Cause, I respectfully dissent.

I am authorized to state that Justice Rebecca Frank Dallet joins this dissent.

Sheila T. Reiff
Clerk of Supreme Court