

# SUPREME COURT OF WISCONSIN

No. 13-13

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**In the matter of the petition to review State  
Bar Bylaws Amendments.**

**FILED**

**NOV 1, 2013**

Diane M. Fremgen  
Clerk of Supreme Court  
Madison, WI

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On July 3, 2013, pursuant to SCR 10.13(2) and Article IX of the State Bar of Wisconsin bylaws, the State Bar of Wisconsin, by its then-president, Kevin Klein, filed a certificate of bylaw amendment regarding amendments to State Bar Bylaws Article II and Article III. The amendments were approved by the Board of Governors of the State Bar on June 12, 2013, on a 38 to 2 vote.

On September 11, 2013, Attorney Steven Levine filed a timely petition seeking review of certain of these bylaws amendments, signed by 25 or more active members of the State Bar of Wisconsin. See SCR 10.13(2). Supreme court rule 10.13(2) provides that a hearing upon such a petition will be pursuant to notice in such manner as the court directs.

On January 21, 2014, a public hearing is scheduled on Rule No. 13-07, In the matter of the petition to amend Supreme Court Rules 10.04 and 10.05 relating to Officers and the Board of Governors of the State Bar of Wisconsin. This petition proposes amendments to SCR 10.04 relating to officers of the State Bar of Wisconsin and SCR 10.05 relating to the board of governors of the State Bar of

Wisconsin. The proposed changes in Rule No. 13-07 explicitly make reference to the recently revised bylaws, which are the subject of this petition for review. Therefore, the court deems it appropriate to review the bylaws amendments together with Rule No. 13-07.

The bylaws amendments which are the subject of the petition for review provide as follows:

RESOLVED, that State Bar Bylaw Article II, be amended as follows:

. . .

**Section 7. Removal.** An officer may be removed from office as follows: . . . (b) Removal by Board of Governors. An officer shall be removed if the officer is unable or unwilling to fulfill his or her duties, or if the officer's conduct while in office is contrary to the best interest of the State Bar as determined by an affirmative vote of 75 percent of the total membership of the Board of Governors (including the officer subject to the motion to remove). Before any vote on the motion, notice of the motion to remove and of the grounds alleged against the officer, and an opportunity to be heard by the Board must be given to the officer.

RESOLVED, that State Bar Bylaw Article III, be amended as follows:

. . .

**Section 10. Removal.** A Governor may be removed from office as follows: . . . . (b) Removal by Board of Governors. A governor shall be removed if the governor is unable or unwilling to perform his or her duties, or if the governor engages in conduct which is contrary to the best interest of the State Bar as determined by the affirmative vote of 75 percent of the total membership of the Board (including the governor subject to the motion to remove). Before any vote on the motion to remove the governor, notice of the motion and of the grounds alleged against the governor, and an opportunity to be heard by the Board must be given to the governor.

IT IS ORDERED that a public hearing on the petition for review shall be held in the Supreme Court Room in the State Capitol, Madison, Wisconsin, on Tuesday, January 21, 2014, at 9:30 a.m.

IT IS FURTHER ORDERED that the court's conference in the matter shall be held promptly following the public hearing.

IT IS FURTHER ORDERED that notice of the hearing be given by a single publication of a copy of this order and of the petition in the official state newspaper and in an official publication of the State Bar of Wisconsin not more than 60 days nor less than 30 days before the date of the hearing.

Dated at Madison, Wisconsin, this 1st day of November, 2013.

BY THE COURT:

Diane M. Fremgen  
Clerk of Supreme Court

