

SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 04-06

In the matter of the Petition for Amendment to
Supreme Court Chapter 22 - Procedures for the
Lawyer Regulatory System

FILED

NOV 19, 2004

Cornelia G. Clark
Clerk of Supreme Court
Madison, WI

On November 16, 2004, the court held a public hearing on the petition filed June 17, 2004, by the Office of Lawyer Regulation (OLR), seeking to amend Supreme Court Rules 22.11, 22.20, and 22.21 relating to procedures for the lawyer regulation system. At the ensuing open administrative conference the court unanimously adopted the petition with certain modifications.

IT IS ORDERED that, effective February 1, 2005, Supreme Court Rules 22.11, 22.20 and 22.21 are amended as follows:

Section 1. 22.11(2) of the Supreme Court Rules is amended to read:

SCR 22.11(2) The complaint shall set forth only those facts and misconduct allegations for which the preliminary review

panel determined there was cause to proceed and may set forth the discipline or other disposition sought. Facts and misconduct allegations arising under SCR 22.20 and SCR 22.22 may be set forth in a complaint without a preliminary review panel finding of cause to proceed.

Section 2. 22.20(6) of the Supreme Court Rules is created to read:

SCR 22.20(6) *Filing of complaint.* The director, or special investigator acting under SCR 22.25, shall file the complaint in the disciplinary proceeding within 2 months of the effective date of the summary suspension or shall show cause why the summary suspension should continue. The respondent attorney may file a response with the supreme court within 10 days of service. Reinstatement under this section does not terminate any misconduct investigation or disciplinary proceeding pending against the attorney.

Section 3. 22.20(7) of the Supreme Court Rules is created to read:

SCR 22.20(7) *Filing of referee report.* The referee appointed to conduct a hearing on the complaint shall conduct the hearing promptly and file the report required by SCR 22.16 no later than 3 months after the filing of the complaint. In the event the report is not filed within 3 months of the filing of the complaint, the respondent attorney may move the supreme court for reinstatement pending completion of the disciplinary proceeding. Reinstatement under this section does not terminate

any misconduct investigation or disciplinary proceeding pending against the attorney.

Section 4. 22.21(3) of the Supreme Court Rules is created to read:

SCR 22.21(3) *Filing of complaint.* The director, or a special investigator acting under SCR 22.25, shall file the complaint in the disciplinary proceeding within 4 months of the effective date of the temporary suspension imposed under this section, or shall show cause why the temporary suspension should continue. The respondent attorney may file a response with the supreme court within 10 days of service. Reinstatement under this section shall not terminate any misconduct investigation or disciplinary proceeding pending against the attorney.

Section 5. 22.21(4) of the Supreme Court Rules is created to read:

SCR 22.21(4) *Filing of referee report.* The referee appointed to conduct a hearing on the complaint shall conduct the hearing promptly and file the report required by SCR 22.16 no later than 6 months after the filing of the complaint. If the report is not filed within 6 months of the filing of the complaint, the respondent attorney may move the supreme court for reinstatement pending completion of the disciplinary proceeding. Reinstatement under this section does not terminate any misconduct investigation or disciplinary proceeding pending against the attorney.

IT IS ORDERED that notice of this amendment of Supreme Court Rules 22.11, 22.20 and 22.21 be given by a single

publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 19th day of November, 2004.

BY THE COURT:

Cornelia G. Clark
Clerk of Supreme Court