

SUPREME COURT OF WISCONSIN
OFFICE OF LAWYER REGULATION

Public Reprimand With Consent

Sean William O'Neill
Attorney at Law

2022-OLR- ~~22MA160~~

2023-OLR-5

Sean William O'Neill was admitted to practice law in Wisconsin on September 5, 1997, State Bar No. 1029010. O'Neill practices in La Crosse, Wisconsin and his license is active and in good standing.

On June 29, 2020, O'Neill filed for divorce from his wife. O'Neill is represented by Attorney L.S. in his divorce case.

In or around October 2020, a woman (the client) hired O'Neill to represent her in her divorce case. On October 8, 2020, O'Neill filed a Summons and Petition with Minor Children in the client's divorce case. On October 16, 2020, Attorney L.S. filed a Notice of Retainer, Admission of Service, and Response and Counterclaim on behalf of the client's husband in the client's divorce case.

O'Neill did not inform the client that Attorney L.S. was also representing O'Neill in his own personal divorce case. Despite Attorney L.S. continuing to represent O'Neill in his personal divorce case, O'Neill continued representing the client in her divorce case with Attorney L.S. as opposing counsel. O'Neill did not obtain the client's informed consent.

The client told OLR, "O'Neill initially advised that he did not know her [Attorney L.S.] well; however, was not afraid to argue if need be. Several times from 10/2020-11/2021, I expressed to O'Neill my dislike for [Attorney L.S.] and how I was talked about and the lies that were

presented about me in Court.” Nevertheless, O’Neill continued to represent the client without informing her that Attorney L.S. was also his attorney in his personal divorce case.

On November 22, 2021, a mediation was held in the client’s divorce case. O’Neill, the client, and Attorney L.S. were all present at the mediation. During a break in the mediation, O’Neill informed the client he was also getting a divorce. The client told OLR, “He [O’Neill] advised that his had been going on longer than mine. I specifically asked him who he retained for an attorney. He didn’t answer immediately and I offered that he probably represents himself.” O’Neill told OLR that he replied “pretty much” to this inquiry and that the conversation ended. O’Neill stated this despite the fact that O’Neill does not represent himself in his divorce and Attorney L.S. continues to represent O’Neill in his divorce case.

In her grievance against O’Neill, the client stated, “After I left, I searched O’Neill in CCAP and learned that he retained [Attorney L.S.] for his own divorce months before I retained him. He had numerous opportunities to advise me of that information and he failed to do so.” She further stated, “I do not trust him, and I feel like services he provided me were hindered due to his relationship with [Attorney L.S.]. Clearly, it is suspect alone that he did not disclose the information.”

In a November 23, 2021 email to O’Neill, the client stated, “I was quite shocked though that you are not your own attorney for your case.” In a December 22, 2021 email to O’Neill, the client stated, “This is your notice that I am discharging you as my attorney; therefore, you no longer represent me. Do not appear on my behalf for the final divorce hearing on December 28, 2021.”

In a December 22, 2021 email to the client, O’Neill stated, “So this comes very late in the game. I know you are upset with me and I know what its [sic] about.” O’Neill also stated, “Despite

what you might think what relationship I have with [Attorney L.S.] (who I have other active cases against, not just yours) that may have hurt your case, you walked away with an AWESOME deal, that I don't think you fully appreciate.” O’Neill further stated, “You may have think I lied to you about my *personal matter*. But I am ‘pretty much’ (as I said) representing myself. I’m using [Attorney L.S.] as a backstop to cover hearings and to get involved if things get litigious, which they haven’t [sic] yet.” (Emphasis in original.).

Ultimately, at the Stipulated Divorce hearing on December 28, 2021, the client represented herself and the court granted her divorce.

With respect to the conversation O’Neill had with the client regarding his own divorce case, O’Neill told OLR, “I told [the client] that I was going out of town with my girlfriend. [the client] said, ‘I thought you were married, are you getting a divorce?’. I hesitated and said ‘Yes, I am’. Then she said, ‘I suppose you are representing yourself’. I answered with these exact words ‘Pretty much’.” O’Neill also stated, “The second reason I didn’t disclose [Attorney L.S.’s] engagement is because I did not want clients to know about my personal life. I didn’t feel that my clients should know about my divorce, a personal matter.”

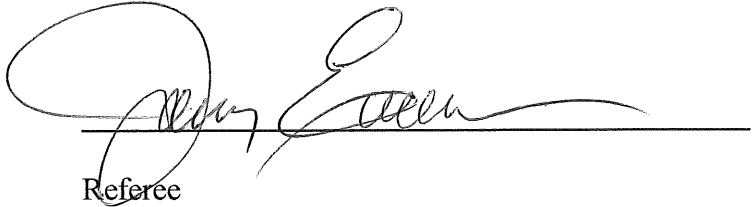
By representing the client in her divorce case, even though the opposing counsel in the client’s divorce case was also representing him in his own personal divorce case, O’Neill violated SCR 20:1.7(a)(2), which states, “Except as provided in par. (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:...(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer’s responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.”

O’Neill received a prior public reprimand in 2012.

In accordance with SCR 22.09(3), Attorney Sean William O'Neill is hereby publicly
reprimanded.

Dated this 19 day of October, 2023.

SUPREME COURT OF WISCONSIN



Referee