

SUPREME COURT OF WISCONSIN  
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Public Reprimand With Consent

24-OLR-01

Michael A. Verrilli  
Attorney at Law

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Michael A. Verrilli was admitted to the practice of law in Wisconsin on June 18, 1996, State Bar No. 1022693.

Atty. Verrilli represented a defendant in a criminal matter in Milwaukee County Circuit Court who is charged with first degree recklessly endangering safety as a party to a crime, and carrying a concealed weapon. Atty. Verrilli represented the defendant from May 2022 to April 2023.

On May 17, 2022, the court held a preliminary hearing. The trial was later adjourned at Atty. Verrilli's request due to discovery issues and Verrilli's desire to file an evidentiary motion. The court scheduled a final pre-trial on January 26, 2023, and trial on February 13, 2023. The deadline for defense to file motions was January 3, 2023. Atty. Verrilli did not file any motions by this date.

The defendant filed a speedy trial demand on January 5, 2023.

The final pre-trial was rescheduled to February 1, 2023. At the final pre-trial, Atty. Verrilli requested an extension of the motion deadline, and an adjournment of the trial. The defendant agreed to waive his speedy trial demand and the matter was reset for final pre-trial on March 30, 2023, and trial on May 8, 2023.

On March 30, 2023, Atty. Verrilli failed to appear or contact the court in response to calls and emails. An adjourned final pre-trial date was scheduled for April 10, 2023. Atty. Verrilli was notified by email. The court received no communication from Atty. Verrilli, and he failed to appear for the April 10, 2023 pre-trial.

During the April 10, 2023 pre-trial, the defendant stated Atty. Verrilli had not contacted him prior to the court date. The defendant believed he spoke to Atty. Verrilli once during the year he had been incarcerated on the case. The court removed Atty. Verrilli from the case and referred the defendant to the State Public Defender (SPD). Successor counsel was later appointed at county expense due to delays in the SPD appointment.

On April 28, 2023, the judge emailed Atty. Verrilli requesting an explanation for his failure to appear on behalf of the defendant, who was in custody and had entered a speedy trial demand.

On May 10, 2023, Atty. Verrilli sent a response to the court, stating in part:

Initially, I was falling behind because I was having difficulty viewing some of the electronic video files I received in discovery. At some point, I began to avoid confronting the problem and then it became harder and harder to get back on board with preparing the defense...I knew I needed to file a Miranda motion, which, in itself should have been relatively simple. It was like I froze up and just didn't do what I should have done...

It is true that there have been some major changes in my life but I am not sure they have have [sic] been the cause of this particular problem with my practice.

Atty. Verrilli says he does not have a good explanation for his failure to file a motion in this matter, nor does he have a good explanation for his failure to appear on the dates in question. Atty. Verrilli acknowledges he needed to file a Miranda/Goodchild motion to try to suppress the defendant's statement to police. Atty. Verrilli states he does not know why he could not get himself to prepare and file the motion and acknowledges that at some point, it became a "mental block type of thing." He admits he got behind on the case and instead of tackling the matter, retreated into a posture of avoidance to an extreme.

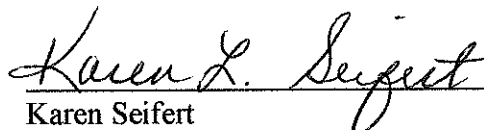
By failing to appear in court on March 30, 2023 and April 10, 2023 even though the defendant made a speedy trial request, failing to contact the court in response to calls and emails due to his failure to appear, and failing to prepare any of the motions he says he should have prepared, Atty. Verrilli violated SCR 20:1.3, which states, "A lawyer shall act with reasonable diligence and promptness in representing a client."

Attorney Verrilli received a private reprimand on January 7, 2020

In accordance with SCR 22.09(3), Attorney Michael A. Verrilli is hereby publicly reprimanded.

Dated this 17 day of January, 2024.

SUPREME COURT OF WISCONSIN

  
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Karen Seifert  
Referee