



Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

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November 11, 2013

To: State Bar of Wisconsin – Patrick Fiedler, President

Re: Rule Petition 13-09, Petition to amend SCRs 10.03(3) and (5) relating to classes of membership and membership dues and reduction of dues.

Dear Mr. Fiedler:

I am assisting the Wisconsin Supreme Court with its consideration of Rule Petition No. 13-09, filed by the State Bar on July 3, 2013. The court discussed the petition at its open rules conference on September 12, 2013 and voted unanimously to schedule a public hearing. The public hearing is scheduled for January 21, 2014.

The court requested that I seek additional information from the State Bar about the proposed amendments prior to the public hearing. Specifically, your response to the following issues or questions is sought at this time:

- Can Emeritus members practice law?
- Members of the State Bar who are 70 to 75 years of age may self-select their status as Active Emeritus or Senior Emeritus. How will the State Bar monitor lawyers' selection and compliance with the requirements of the respective options?
- How are "equivalent billable hours" determined and who makes that determination?
- If an attorney misreports his/her status, would that attorney be subject to professional discipline?
- Can attorneys between the ages of 70 and 75 who do not practice law at all select Inactive status?
- If an attorney who is currently on Inactive status reaches the age of eligibility to select Emeritus status, must the attorney first become Active in order to select Emeritus status?
- The State Bar estimates that the change in the new Active Emeritus category would result in an approximate revenue decrease of \$144,000 annually. Please explain this estimate.

Please file your response by January 6, 2014, with the Clerk of Supreme Court, Attention: Carrie Janto, Deputy Clerk, P.O. Box 1688, Madison, WI 53701-1688. If possible, e-mail a Microsoft Word version of your response to carrie.janto@wicourts.gov or clerk@wicourts.gov.

The court may request further information prior to a public hearing or open administrative conference. As mentioned above, the court has scheduled this rule petition for a public hearing/open conference on January 21, 2014, at 9:30 a.m., in the Supreme Court Room in the State Capitol, Madison, Wisconsin. The court may take any action it deems appropriate, including any of the following:

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (c) Circulate the rule petition for comment without a public hearing.
- (d) Schedule the rule petition for public hearing.
- (e) Refer the rule petition to another entity for its review and recommendation.
- (f) Request further information or analysis from the petitioner or interested persons or entities.

You might wish to consult the court's Web site at <http://wicourts.gov/scrules/supreme.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office are posted on the Web site.

If you have specific questions regarding this request, please contact me at (608) 261-6641 or julie.rich@wicourts.gov.

Yours very truly,

/s/

Julie Anne Rich

Supreme Court Commissioner

cc: Chief Justice Shirley S. Abrahamson
Justice Ann Walsh Bradley
Justice N. Patrick Crooks
Justice David T. Prosser, Jr.
Justice Patience Drake Roggensack
Justice Annette Kingsland Ziegler
Justice Michael J. Gableman

List of Interested Parties for Supreme Court Rules Matters

Board of Bar Examiners
Chief Circuit Court Judges
Circuit Court Judges
Court of Appeals Judges
Court of Appeals, Attention: Chief Staff Attorney
Director of State Courts
Legal Action of Wisconsin, Attention: John F. Ebbott
League of Women Voters
Marquette Law School, Attention: Joseph D. Kearney
Office of Lawyer Regulation
Office of State Public Defender, Attention: Kelli S. Thompson
Office of the Attorney General, Attention: J.B. Van Hollen
State Bar of Wisconsin, Attention: Patrick J. Fiedler
State Bar of Wisconsin, Attention: George Brown
State Bar of Wisconsin, Attention: Lisa Roys
U.W. Law School, Attention: Margaret Raymond
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director
Western District Bar Association of Wisconsin, Attention: Lynn M. Stathas
Wisconsin Asian Bar Association, Attention: Robin Dalton
Wisconsin Association for Justice, Attention: Jane E. Garrott, Executive Director
Wisconsin Association of African American Lawyers, Attn: DeAngela Luna
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever
Wisconsin Association of Judicial Court Commissioners, Attention: Alice Rudebusch
Wisconsin Bankers Association, Attention: Attorney John Knight
Wisconsin Clerks of Circuit Court Association, Attention: Pam Radtke
Wisconsin Counties Association, Attention: David Callender
Wisconsin Defense Counsel, Attention: Jane Svinicki and Andy Cook
Wisconsin District Attorneys Association, Attention: Margaret Drees, Executive Director
Wisconsin Family Court Commissioners Association, Attention: Sandra Grady, Exec. Secretary
Wisconsin Hispanic Lawyers Association, Attention: Micabil Diaz Martinez
Wisconsin Judicare, Inc., Attention: Rosemary Elbert
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke
Wisconsin Judicial Council, Attention: April Southwick
Wisconsin Juvenile Court Clerks Association, Attention: Joy Pecha
Wisconsin Municipal Judges Association, Attention: Honorable Scott Letteney
Wisconsin Registers in Probate Association, Attention: Nancy Dowling
Wisconsin State Attorneys Association, Attention: Nancy Wettersten
Wisconsin Trial Judges Association, Attention: Honorable Mary M. Kuhnmuench
Wisconsin Tribal Judges Association, Attention: Amanda Rockmann, President
Christian Gossett, Winnebago County District Attorney
Steven Levine, Attorney
Shelley M. Fite, Local Attorney Manager, State Public Defender-Appellate Division

List of Additional Interested Parties – if any

State Bar Senior Lawyers Division
State Bar Young Lawyers Division