



August 14, 2015

SENT VIA ELECTRONIC TRANSMISSION

Clerk of the Supreme Court of Wisconsin
Attention: Deputy Clerk-Rules
P.O. Box 1688
Madison, WI 53701-1688
E-mail: *clerk@wicourts.gov*

RE: Written Comments Regarding Supreme Court Petition 14-06 Regarding the Exercise of Discretion by the Office of Lawyer Regulation

Dear Clerk of Supreme Court:

I am writing to provide written comments regarding Petition 14-06 which is scheduled for hearing before the Supreme Court on September 21. I am also requesting the opportunity to appear before the Supreme Court on that date to provide additional comments and information to the Court regarding the proposed changes to the Lawyer Regulation System.

The changes proposed in Supreme Court Rule Petition 14-06 are designed to provide sufficient authority for the Office of Lawyer Regulation to exercise discretion in the processing of complaints against lawyers under the current Lawyer Regulation System. A number of concerns have been expressed regarding the current view of the Office of Lawyer Regulation that it must proceed with any and all complaints that arise and for which a cause to proceed has been given by the Preliminary Review Committee. This practice eliminates the opportunity for Respondent or Respondent's Counsel to communicate with OLR Counsel regarding the potential charges being brought by OLR. This is not to suggest that Respondent or Respondent Counsel would "plea bargain" over the charges being considered by the Office of Lawyer Regulation but rather would allow OLR and Respondent to address those charges or conduct that would be the most appropriate subject for a proceeding before the Supreme Court. There are many instances where Counsel is not retained by Respondent until late in the proceedings and Respondent Counsel may have additional information or additional arguments that should be considered by OLR Counsel before the filing of a Complaint with the Court.

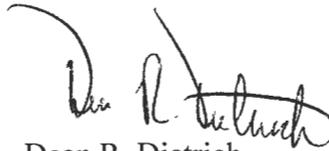
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As an attorney serving as Respondent's Counsel in proceedings before the Supreme Court, I am confident that the Office of Lawyer Regulation will exercise reasonable discretion in considering how to proceed with the bringing of charges and exercise proper discretion to determine which charges would be most appropriate for proceeding recognizing the need to ensure enforcement of the Rules of Professional Conduct while at the same time measuring the value and amount of time and effort that should be expended in pursuing charges against a particular lawyer. I submit that conversations between OLR Counsel and Respondent Counsel will allow for an expeditious and more efficient regulatory proceeding provided OLR Counsel is in a position to exercise discretion regarding the matters that would be pursued as part of a proceeding before the Supreme Court.

I thank you for the opportunity to comment regarding this proposed Rule change. I appreciate the opportunity to appear before the Supreme Court to address this matter in further detail.

Very truly yours,

RUDER WARE



Dean R. Dietrich

cc: Keith Sellen