



STATE BAR OF WISCONSIN

Leaders in the Law. Advocates for Justice.®

January 23, 2017

Clerk of the Supreme Court
Attn: Deputy Clerk-Rules
P.O. Box 1688
110 East Main Street, Suite 215
Madison, WI 53701-1688

RE: Petition 16-03 (Amendments to Conditional Bar Admission Procedures)

To the Honorable Justices:

Petition 16-03 related to conditional bar admission was approved by at least a 60% majority voice vote at The State Bar of Wisconsin's Board of Governors meeting on December 2, 2016. During the Bar's deliberation, the State Bar's Lawyer Assistance Program (WisLAP) committee expressed support. Comments submitted to the Board for consideration from the WisLAP committee are attached for your consideration.

If you have any additional questions, please do not hesitate to contact Public Affairs Director Lisa Roys.

Sincerely,

A handwritten signature in blue ink, appearing to read "Francis W. Deisinger".

Francis W. Deisinger, President
State Bar of Wisconsin



STATE BAR OF WISCONSIN
Your Practice. Our Purpose.®

sent via email

MEMORANDUM

TO: Mr. George Brown
Executive Director

President Francis Deisinger
Chair Strategic Planning Committee

FROM: Mary Spranger, LCSW
WisLAP Manager

DATE: November 9, 2016

RE: Petition 16-03, In the Matter to Amend ss. 40.075 and 22.28 Relating to
Conditional Bar Admission

As per your request, please note the following regarding the WisLAP monitoring program's role in the conditional admission process.

- The WisLAP monitoring program is a primary resource for both the OLR and BBE when monitoring is required.
- The BBE utilizes the WisLAP monitoring program for conditionally admitted attorneys whose current record of conduct demonstrates documented fitness; however, monitoring is warranted due to previous conduct that might have resulted in denial. Adherence to the WisLAP monitoring contract provides a framework for conditionally admitted attorneys to provide objective data to the BBE as a means of documenting their rehabilitation.
- The WisLAP Administrative Coordinator Position (0.6 FTE) has been primarily responsible for the day-to-day management of the monitoring program, with support as needed from the WisLAP Manager.
- WisLAP does not charge participants for State Bar of Wisconsin staff time; however, participants are advised that it is their responsibility to pay the costs of evaluation and treatment (if warranted) and drug and alcohol testing.

Currently WisLAP has 22 monitoring participants:

- 11 are participants who are conditionally admitted via BBE;
- 6 are OLR referrals;
- 3 are voluntary referrals/self-referred;
- 2 are in monitoring at the request of their firms.

Reasons for monitoring

- 4-Alcohol
- 12- Alcohol and Other Drugs
- 4- Alcohol and other Drugs/Mental Health
- 2-Mental Health

Past WisLAP Monitoring Participants: Since inception we have had 80 referrals into the monitoring program

- 22 remain in monitoring
- 28 completed their contracts
- 14 withdrew
- 4 were terminated
- 12 declined to engage in monitoring after intake.

The Wisconsin Lawyers Assistance Program (WisLAP) Committee supports the petition to amend ss. SCR 40.075 and SCR 22.28 Relating to Conditional Bar Admission. The following is taken from WisLAP Chair Andrea Hoeschen's letter of support dated October 21, 2016:

“WisLAP provides the monitoring that may be required as part of conditional admission to the Bar. The current rules regarding conditional admission are ambiguous as to the processes when applicants fail to comply with the terms for conditional admission. The proposed amendments clarify the processes for the Board when an applicant is in noncompliance. Additionally, the proposed amendments provide clear guidance as to the Board's options in the event of noncompliance, specifying that the Board may modify, extend, or revoke the conditional admission. Under the current rules, the Board's options for responding to noncompliance are unclear. By eliminating ambiguity as to the processes and options to deal with noncompliance with the conditions for admission, the proposed amendments facilitate more effective and efficient monitoring by WisLAP.”



THOMADSEN & HOESCHEN
L L C

ANDREA F. HOESCHEN
DIRECT EMAIL: andrea@toholaw.com
PHONE: (414)276-4080

October 21, 2016

VIA U.S. MAIL

AND EMAIL fdeisinger@reinhardtlaw.com

President Francis W. Deisinger
Chair Strategic Planning Committee
Reinhart, Boerner & Van Deuren SC
P.O. Box 2965
Milwaukee, WI 53201-2965

Re: Petition 16-03, In the Matter to Amend ss. SCR 40.075 and 22.28
Relating to Conditional Bar Admission

Dear President Deisinger:

I write on behalf of the Wisconsin Lawyers Assistance Program (WisLAP) Committee to express the Committee's support for the petition to amend ss. SCR 40.075 and SCR 22.28 Relating to Conditional Bar Admission.

WisLAP provides the monitoring that may be required as part of conditional admission to the Bar. The current rules regarding conditional admission are ambiguous as to the processes when applicants fail to comply with the terms for conditional admission. The proposed amendments clarify the processes for the Board when an applicant is in noncompliance. Additionally, the proposed amendments provide clear guidance as to the Board's options in the event of noncompliance, specifying that the Board may modify, extend, or revoke the conditional admission. Under the current rules, the Board's options for responding to noncompliance are unclear.

By eliminating ambiguity as to the processes and options to deal with noncompliance with the conditions for admission, the proposed amendments facilitate more effective and efficient monitoring by WisLAP.

Yours Truly,

Andrea F. Hoeschen
Chair, WisLAP Committee

AFH/csb

cc: George Brown, Executive Director (Via Email gbrown@wisbar.com and US Mail)
Linda Albert (Via Email Only lalbert@wisbar.com)

740 N Plankinton Avenue, Suite 430
Milwaukee, Wisconsin 53203
(414) 276-4080