

**SUPREME COURT AGENDA**  
**Open Rules Conference**  
**Supreme Court Hearing Room**

Thursday, May 12, 2016  
9:30 a.m.

**Public Hearing**

None

**Open Rules Petition Conference Matters**

- A. Rule Petition 09-07: In the Matter of the Petition of the State Bar of Wisconsin to Modify Chapter 72 of the Supreme Court Rules (“Expunction”).** Amended petition filed 10/27/09 by Douglas W. Kammer, President, State Bar of Wisconsin. The Legislative Committee voted at its 9/9/14 meeting to pursue the issue of expunction during the next legislative session. Nancy Rottier, Legislative Liaison, will ask LRB to create a draft, using 13-003-3 as the basis with certain changes; no court action required at this time. Update from Nancy Rottier via 12/15/15 email: "Bill is drafted, have lead Republican in Senate and just trying to finalize lead Republican author in Assembly." Not passed. **Discussed 4/16/16. Motion to dismiss failed (3:3 PDR, AKZ & MJG would dismiss, RGB dnp); Justice David Prosser motion to reconsider dismissal of the rules petition.**
- B. Rule Petitions 07-11C and 14-02 relating to Discretionary Transfer to Tribal Courts**
- Rule Matter 07-11C: Matter of the petition to create a rule governing the discretionary transfer of cases to tribal court.** Court to conduct review of the rule in fall 2015, alongside new petition to remove the rule (14-02). Hearing memo circulated 10/30/15. Public hearing held 11/10/15. Discussed 3/17/16.
- Rule Petition 14-02: Proposed Amendment/Dissolution of Wisconsin Statute § 801.54 Discretionary Transfer of Civil Actions to Tribal Court.** Hearing memo circulated 10/30/15. Public hearing held 11/10/15. Discussed 3/17/16.
- C. Rule Petition 15-03: Matter of Petition for Amendments to Rules of Professional Conduct for Attorneys.** Court discussed at 11/16/15 open conf.; voted to schedule public hearing. Letter to interested parties sent 11/23/15. First public hearing held 1/22/16; second hearing held 2/23/16. Not reached for conference on 2/23, 3/17, 4/13. **Follow up memo and draft order circulated 4/19/16.**
- D. Rule Petition 16-01: Matter of Amending Wisconsin Statutes §§ 885.16, 885.17, 885.205, and 906.01.** Pre-hearing memo circulated 4/22/16 (**public hearing required**).
- E. Rule Petition 16-02: Matter of Amending Wisconsin Statutes §§ 901.07, 906.08, 906.09 and Proposed 906.16.** Pre-hearing memo circulated 4/22/16 (**public hearing required**).

Rule Petition filings are posted at:  
[www.wicourts.gov/srules/](http://www.wicourts.gov/srules/)

**F. Rule Petition 15-04: Petition to amend SCR 20:1.9(c).** Court discussed petition regarding prohibition of attorneys' use or disclosure of information relating to former representation at 11/16/15 open conf.; voted to schedule public hearing. Letter sent to interested parties sent 12/30/15. Public hearing 2/23/16; follow-up memo and submissions filed circulated 4/7/16. **Not reached for conference on 2/23/16, 3/17/16, 4/13/16.**