

SUPREME COURT OF WISCONSIN

No. 06-04

In the matter of review of amendments to
SCR 20:1.15 Safekeeping Property; SCR 20:1.0
Definitions; SCR 21:16 Discipline; and SCR
12.04 Wisconsin Lawyers' Fund for Client
Protection

FILED

NOV 2, 2009

David R. Schanker
Clerk of Supreme Court
Madison, WI

On May 22, 2006, the Office of Lawyer Regulation and the State Bar of Wisconsin filed a joint petition proposing certain modifications to the "trust account rule," SCR 20:1.15, together with related amendments to SCR 20:1.0 that added definitions for advanced fees, flat fees, and retainers, SCR 21.16 (Discipline) and SCR 12.04 (Wisconsin Lawyers' Fund for Client Protection). The supreme court held a public hearing on the petition on January 17, 2007. At the ensuing administrative conferences, the court discussed the matter and voted 6:1 to adopt the petition, as amended, and to review the rule amendments in three years. Justice Bradley dissented from that portion of the petition permitting alternative protection for advanced fees, SCR 20:1.15(b)(4m). The effective date of these amendments was July 1, 2007. A copy of the court's order dated May 2, 2007, is available on the Web site of the Wisconsin Supreme Court under http://wicourts.gov/supreme/sc_hearing_rules.jsp.

IT IS ORDERED that on Friday, February 26, 2010, at 9:30 a.m., in the Supreme Court Room in the State Capitol, Madison,

Wisconsin, the court will hold an open administrative conference during which the court will review the rule amendments adopted in order 06-04 in 2007 and any written comments that are filed following the issuance of this scheduling order.

The court notes that it extensively amended SCR 20:1.15 in its order dated July 1, 2009, on petition 08-03, In re the matter of amendments to SCR 20:1.15, IOLTA Trust Accounts, relating to interest paid on IOLTA accounts. These amendments are not the subject of the review at the February 26, 2010, administrative conference.

IT IS FURTHER ORDERED that all comments on the 2007 rule amendments should be submitted in writing. Any interested persons may file with the court any written comments on the rule amendments, preferably no later than February 5, 2010.

IT IS FURTHER ORDERED that notice of the administrative conference be given by publication of a copy of this order in the official state newspaper once each week for three consecutive weeks and in an official publication of the State Bar of Wisconsin not more than 60 days nor less than 30 days before the date of the hearing.¹

¹ Notice of the open administrative conference will appear in the December 2009 Wisconsin Lawyer, the official publication of the State Bar of Wisconsin, approximately 73 days prior to the hearing rather than the required maximum of 60 days, due to the State Bar's publication schedule. Pursuant to its rule-making authority under Wis. Stat. § 751.12 and its Internal Operating Procedures, the court exercises its discretion to allow this unavoidable deviation from the requirements.

Dated at Madison, Wisconsin, this 2nd day of November,
2009.

BY THE COURT:



David R. Schanker
Clerk of Supreme Court