

Please direct all communications to Attorney Dean R. Dietrich at the
Wausau Office.

August 10, 2022

Sent Via Electronic Mail and U.S. Mail

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

RE: Rule Petition 22-02, In the Matter of the Amendment of Supreme Court Rule 20:8.4

Dear Supreme Court:

I am writing in regard to Rule Petition 22-02 involving proposed amendments to SCR 20:8.4(i). I am writing as a lawyer that represents respondents in disciplinary proceedings brought by the Office of Lawyer Regulation. I am not writing in my capacity as a member of the Committee on Professional Ethics of the State Bar of Wisconsin or in my capacity as President-Elect of the State Bar of Wisconsin.

I write in support of the proposed changes to SCR 20:8.4(i) even though I recognize that the proposed changes will expand the areas that would likely qualify as professional misconduct under SCR 20:8.4. The changes being proposed to SCR 20:8.4(i) are consistent with the language in ABA Model Rule 8.4(g). I believe there is a long-standing commitment by the Supreme Court to adopt Model Rule language when it provides the same purpose and intention as Wisconsin language in order to allow for precedent and case history from other jurisdictions to be considered when appropriate in a disciplinary proceeding before the Court.

The adoption of the Model Rule language would provide the Court with the benefit of proceedings in other jurisdictions when considering potential allegations of violation of this Supreme Court Rule. I believe that this is in the best interests of the Court and respondents as it provides assistance in interpreting language and the applicability of language to particular lawyer conduct.

I also believe that the proposed new language clarifies the applicability of the Rule to conduct “related to the practice of law” and clarifies the ability of a lawyer to accept, decline, or withdraw from representation under appropriate circumstances.

I submit that this language is a helpful clarification of the applicability of the Rule and assists the Court in determining those instances where lawyer conduct may be viewed as a violation of SCR 20:8.4.

I request the opportunity to appear before the Court at the time that a hearing is scheduled on this Rule Petition.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean R. Dietrich". The signature is written in a cursive style with a large initial "D" and "R".

Dean R. Dietrich