

SUPREME COURT OF WISCONSIN

No. 15-04

In the Matter of Petition to Modify
SCR 20:1.9(c)

FILED

DEC 1, 2015

Diane M. Fremgen
Clerk of Supreme Court
Madison, WI

On September 9, 2015, Attorneys Michael D. Cicchini and Terry W. Rose filed a rule petition asking this court to amend Supreme Court Rule (SCR) 20:1.9(c) (Duties to former clients), which generally discusses the prohibition of an attorney to use or reveal information relating to a former representation of a client. The petition proposes that the court amend SCR 20:1.9(c) by adding the marked text, as follows:

(c) A lawyer who has formerly represented a client in a matter or whose present or former firm has formerly represented a client in a matter shall not thereafter do either of the following:

(1) Use information relating to the representation to the disadvantage of the former client except as these rules would permit or require with respect to a client, or when the information has become generally known. "Generally known" information includes information that is publicly available or has been disclosed in a public forum.

(2) Reveal information relating to the representation except as these rules would permit or require with respect to a client. Information that is "generally known" has already been revealed.

IT IS ORDERED that a public hearing on the petition shall be held in the Supreme Court Room in the State Capitol, Madison, Wisconsin, on Tuesday, February 23, 2016, at 9:30 a.m.

IT IS FURTHER ORDERED that the court's conference in the matter shall be held promptly following the public hearing.

IT IS FURTHER ORDERED that notice of the hearing be given by a publication of a copy of this order and of the petition 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.

IT IS FURTHER ORDERED that the full text of the proposed rules, including changes, if any, in existing rules, shall be placed on the Internet site maintained by the director of state courts for the supreme court. See www.wicourts.gov.

Dated at Madison, Wisconsin, this 1st day of December, 2015.

BY THE COURT:

Diane M. Fremgen
Clerk of Supreme Court

