
In the Matter of the Petition for Amendment of Supreme
Court Rules (SCR) 31.01 and 31.03 Relating to the
Electronic Filing of Continuing Legal Education (CLE) Reports

PETITION

To: Chief Justice Shirley S. Abrahamson
Justice Ann Walsh Bradley
Justice N. Patrick Crooks
Justice David Prosser, Jr.
Justice Patience D. Roggensack
Justice Annette Kingsland Ziegler
Justice Michael J. Gableman

Filed with the Clerk of Court David R. Schanker
Clerk of Supreme Court Office
110 East Main Street, Suite #215
Madison, WI 53703

The Board of Bar Examiners, by its director John E. Kosobucki, petitions the Supreme Court of Wisconsin for orders amending Supreme Court Rules (SCR) 31.01 and 31.03, relating to the manner in which Wisconsin lawyers file their reports of CLE compliance and pay late fees. If the Court issues these orders, the affected sections will read as follows:

SCR 31.01 Definitions.

(9) "Electronic CLE Reporting System" means a web-based system established by the Board of Bar Examiners with the assistance of the Director of the Consolidated Court Automation Programs through which lawyers may file an original or amended report of their CLE compliance. The system shall include a method for lawyers to pay a late fee by credit or debit card or by direct withdrawal from a checking or savings account. The system shall also include a means for confirming the date and time of the original submission to serve as proof of filing.

(10) "Electronic Signature" means an electronic sound, symbol or process attached to or logically associated with an electronically-filed CLE report that can be executed or adopted by the reporting lawyer with the intent to sign the document under oath or affirmation.

SCR 31.03 Reporting requirement.

(3) Lawyers may satisfy the reporting requirements of this section through the Electronic CLE Reporting System. Reports filed electronically must include the reporting lawyer's Electronic Signature, by which the lawyer avers under oath or affirmation that the information contained in the report is true.

(4) Electronically-filed reports are deemed filed when they are submitted to the Electronic CLE Reporting System, except that a late-filed report is not deemed filed unless electronic payment of the late fee accompanies the submission.

JUSTIFICATION

Lawyers must report their compliance with continuing legal education requirements every two years and, if they do not comply and report timely, must pay the late fee set out in SCR 31.03(2). Under existing SCR Chapter 31, these reports must be made by transmitting paper reports to the BBE offices. Late payments must be made by check or in cash.

A web-based reporting and payment system would be more efficient for the board and, more importantly, for reporting lawyers. The board, therefore, asks the Court to adopt the proposed amendments to SCR 31.01 and SCR 31.03, and to direct the CCAP and the Court's fiscal officer to assist in implementing this Electronic CLE Reporting System as soon as it is conveniently possible.

Dated this 25th day of August, 2008.

Respectfully submitted,

// Original Signed //

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