



STATE BAR OF WISCONSIN

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MEMORANDUM

To: Clerk of the Supreme Court and Court of Appeals
ATTN: Carrie Janto

From: George Brown, Executive Director

Copy: Members, Board of Governors

Date: August 30, 2013

Re: Petition 13-03 Reinstatement - Response of the State Bar of Wisconsin

Thank you for the opportunity to provide additional information regarding petition 13-03 filed by the State Bar of Wisconsin, the Office of Lawyer Regulation and the Board of Administrative Oversight.

You had asked a series of questions that outline the differences between an inactive member seeking reclassification as an active member and an attorney that has resigned membership and sought to be reinstated.

- *What are the differences, including cost and administrative requirements, between electing inactive status then seeking reinstatement to active status as compared with submitting a voluntary resignation then seeking readmission?*
- *What does it typically cost a lawyer to complete the CLE credits necessary to qualify for reinstatement or readmission after a period of five years? Ten years?*
- *How much will a lawyer typically owe in bar dues when seeking readmission or reactivation after five years? Ten years?*

Inactive to Active

Any inactive member in good standing can request transfer to active status by filing a written request with the State Bar. However, the status of the member is not altered until the State Bar of Wisconsin receives notice from the Board of Bar Examiners that the individual has completed the requirements of CLE 3.015.

Upon confirmation from the BBE, the member need only pay the difference in dues between an inactive and active member.

Lawyers who have been inactive for ten or more years must first apply to the Supreme Court for transfer to active status. As part of the application the person must show proof of an active license from another state within the last ten years or petition the Supreme Court.

Resignation

A person who was in good standing at the time of his resignation can request reinstatement of his membership by filing an original petition and eight copies with the Wisconsin Supreme Court. The petition must be accompanied by a \$200 check payable to the Board of Bar Examiners. (SCR 40.14(3)). The Board will file a recommendation with the Supreme Court. Once approved by the Court, the person will be billed by the State Bar of Wisconsin for the fees for the current year. The person will also be required to fulfill any continuing legal education (CLE) requirements if reinstatement is to active status.

If the person was allowed to resign while suspended for non-payment of dues, the person must also pay any back-dues and assessments plus late fees and reinstatement fees. The maximum the State Bar collects is three years of back dues.

Continuing Legal Education

Under CLE 3.015, a lawyer who was classified as inactive or having been resigned from the State Bar of Wisconsin for less than two years must complete 30 credit hours of continuing legal education prior to reinstatement or transfer to active status.

A lawyer who has been inactive or having been resigned from the State Bar of Wisconsin for more than two years must complete 60 credit hours of continuing legal education prior to reinstatement or transfer to active status.

Lawyers who were inactive may satisfy the requirements by demonstrating that they were actively practicing in a jurisdiction with mandatory continuing legal education reporting requirements and that they complied with those requirements.

The most economical way to earn 60 or more credits via the State Bar would be to purchase a Gold Ultimate Pass. The Gold Ultimate Pass would allow the attorney to pay a subscription fee of \$1,099 and attend an unlimited number of seminars (in-person, via the web, or on demand) during any 12 month period.

There are many sources of free and lower-priced CLE seminars available through the State Bar, local or specialty bar associations, and other CLE providers. It is conceivable for an attorney to accumulate the needed credits by piecing together attendance at only these programs.

- *What are the financial and administrative requirements associated with electing inactive status vs. emeritus status?*

Inactive Status		Emeritus Membership	
File a request with the Secretary of the Bar		If eligible, file a request with the Secretary of the Bar	
Cannot practice law – Dues and Assessments are half. No Client Protection or WisTAF fee.		No dues or assessments, except the Client Protection Fund fee. Can practice law.	
State Bar of Wisconsin		State Bar of Wisconsin	
Membership dues	\$112.00	Membership dues	\$ 0.00
Supreme Court assessments		Supreme Court assessments	
Board of Bar Examiners	\$ 5.50	Board of Bar Examiners	\$ 0.00
Office of Lawyer Regulation	\$ 77.50	Office of Lawyer Regulation	\$ 0.00
WI Lawyers' Fund for Client Protection	\$ 0.00	WI Lawyers' Fund for Client Protection	\$ 20.00
WisTAF	\$ 0.00	WisTAF	\$ 0.00
Total Fee	\$195.00	Total Fee	\$ 20.00

The remaining questions relate to other offices, therefore the State Bar of Wisconsin defers all further input to them.

Finally, you had asked for a response to comments from the Legislative Reference Bureau. We have reviewed the comments and OLR Director Sellen's response and concur with his response.

Should you have any specific questions regarding this matter, please contact Public Affairs Director Lisa Roys at lroys@wisbar.org or 608.250.6128.