



Sent via Electronic Mail and U.S. Mail

TO: Ms. Carrie Janto
Attention: Deputy Clerk – Rules
Supreme Court of Wisconsin

Ms. Julie Ann Rich
Supreme Court Commissioner
Supreme Court of Wisconsin

FROM: Dean R. Dietrich
Ruder Ware

DATE: February 16, 2016

RE: Petition 15-04 - Petition to Modify SCR 20:1.9(c)

Dean R. Dietrich

Dear Ms. Janto and Ms. Rich:

I am writing in response to the recent e-mail correspondence from Ms. Janto regarding the Supreme Court hearing on Tuesday, February 23. I will not be able to attend this hearing because I will be out of the state on business.

I am aware that the Committee on Professional Ethics of the State Bar and Mr. Ed Hannan, former Preliminary Review Chairman, have submitted statements urging the Court to deny the language changes proposed in Petition 15-04. I join their statements urging that the Supreme Court deny the changes requested in Petition 15-04.

Of most importance to me is the consideration that, under the proposed language changes, a lawyer could use information learned during the course of representation of a former client to the detriment of the former client if the information is, in some fashion, made publicly known. The duty of loyalty to a client, whether a current client or a former client, is a duty of highest importance for a lawyer. To suggest that under various circumstances, a lawyer could use information about a former client either to the detriment of the former client or to simply be disclosed to the public violates that duty of loyalty owed to the former client. I cannot

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emphasize enough the importance of maintaining the integrity of the lawyer-client relationship. Any ability to use information that would damage the integrity of that relationship (even of a former client) simply cannot be justified.

I write to urge that the Wisconsin Supreme Court reject the proposed changes in SCR 20:10.9(c) as suggested in Petition 15-04. Thank you for the opportunity to provide information to the Court.