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January 28, 2021

Sent Via Electronic Mail Only

Chief Justice Patience D. Roggensack
Justice Ann Walsh Bradley
Justice Annette Kingsland Ziegler
Justice Rebecca G. Bradley
Justice Rebecca F. Dallet
Justice Brian Hagedorn
Justice Jill J. Karofsky
16 East, State Capitol
P.O. Box 1688
Madison, WI 53701-1688
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RE: Additional Information - Rule Petition 20-06

Dear Chief Justice and Justices:

The State Bar of Wisconsin is writing in response to the January 26 letter from the Board of Bar Examiners ("BBE") regarding Rule Petition 20-06 (In the Matter of Modification of the Emeritus Status, Penalties for Late Payment of Dues and Fees, Technical Corrections and Continuing Education Requirements).

In its correspondence, the BBE expresses concern about "significant programming changes" that it believes will result from the proposals contained in Rule Petition 20-06. The BBE assumes that there are "four tiers" of member classifications under the new classification system. In actuality, the only change that would directly affect the BBE and CLE credits is the proposal that attorneys who reach the classification of Senior Active would only be required to take 15 CLE credits instead of 30 CLE credits. The classification of "Existing Emeritus" is the current classification that is administered by the BBE and the State Bar of Wisconsin. There is no requirement to account for CLE credits for those attorneys in that classification so there should be no change in the administration by the BBE as it relates to those attorneys.

The BBE suggests that a new classification of “new Emeritus” must be created. These are attorneys who have reached age 70 and have decided to claim Emeritus status which means they are retiring from the practice of law and will not be engaged whatsoever in the active practice of law (although they may engage in pro bono representation under limited conditions). There is no additional tracking required for this classification as it is the same as the Inactive attorney classification because no CLE requirements need to be tracked and attained. These attorneys would be treated the same as Inactive attorneys and that classification would be maintained and administered by the State Bar of Wisconsin. The State Bar of Wisconsin would also continue to track Active status lawyers as would the BBE under the current system.

Based upon these considerations, the State Bar of Wisconsin does not believe that the end result of this proposal will be difficult to administer by the Board of Bar Examiners.

Respectfully Submitted on Behalf of the State Bar of Wisconsin,

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

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State Bar No. 1018020