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In the Matter of  
Modification of the Process by which  
Members Qualify for Transfer from  
Inactive to Active Status

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PETITION  
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This request for modification of SCR 31.06 comes before the Wisconsin Supreme Court pursuant to its authority over the State Bar of Wisconsin and its inherent authority over the legal profession of this state. See also Wis. Const. Art. VII, § 3; In re Kading, 70 Wis. 2d 508, 519-20; 235 N.W.2d 409 (1976). The State Bar is requesting the Court act to recognize mandatory continuing legal education compliance for purposes moving from inactive to active membership status in the State Bar of Wisconsin.

**SECTION 1.** Supreme Court Rule 31.06, is amended to read as follows:

SCR 31.06 Attendance and reporting requirements for persons upon reactivation or reinstatement. ~~The board shall determine the attendance and reporting requirements for a person who seeks to change from inactive to active membership under SCR 10.03(b) 2 in the state bar or for a person who seeks reinstatement following voluntary resignation from the state bar, license suspension that will terminate only on order of the court, or license revocation.~~ (1) Lawyers who have been in inactive status or have been voluntarily resigned from the State Bar and who have not complied with the last reporting period, must complete 30 hours of CLE (including 3 ethics hours) prior to resuming active status, except lawyers qualified for and seeking to return to Senior Active status who have not complied with the last reporting period must complete 15 hours of CLE (including 3 ethics hours). Only approved CLE activities that were completed during or after the last reporting period may be used to satisfy the 30 or 15 hour requirement referenced above.

(2) Lawyers who have been in inactive status or have been voluntarily resigned from the State Bar and who have not complied with the last two reporting periods, must complete 60 hours of CLE (including 3 ethics hours) prior to resuming active status except lawyers qualified for and seeking to return to Senior Active status who have not complied with the last reporting period must complete 30 hours of CLE (including 3 ethics hours). Only approved CLE activities that were completed during or after the last two reporting periods may be used to satisfy the 60 or 30 hour requirement referenced above.

(3) An inactive member, whose practice is principally in another jurisdiction that has mandatory CLE requirements, satisfies the attendance and reporting requirements if the inactive member:

(a) Meets the same practice requirements in SCR 40.05 while inactive; and

(b) Is current in meeting the CLE requirements in 31.04(3) while practicing during the 3 out of 5 year period, except for the reporting requirement of SCR 31.03, provided the member complies with said reporting requirement as part of the reactivation or reinstatement process.

A memorandum setting forth the reasons for this petition is attached.

Respectfully submitted this 8th day of June, 2021



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