

ANNUAL REPORT
FISCAL YEAR 2008-2009

Introduction

Pursuant to Supreme Court Rule (SCR) 21.03(6)(n) and 21.10(2)(e), the Office of Lawyer Regulation and Board of Administrative Oversight are filing this fiscal year 2008-2009 report on the lawyer regulation system. This report is the ninth report filed under the regulation system, that became effective on October 1, 2000.

Composition of the Lawyer Regulation System

“The lawyer regulation system is established to carry out the Supreme Court’s constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin.” SCR Chapter 21, Preamble. The composition and organization of the lawyer regulation system is depicted in Appendix 1. The persons currently serving in these organizations are identified in Appendix 2. Following is a description of the components.

Supreme Court

The Supreme Court supervises the lawyer regulation system, determines attorney misconduct and medical incapacity, and imposes discipline or directs other appropriate action in proceedings filed with the Court.

Office of Lawyer Regulation

The Office of Lawyer Regulation (OLR) consists of the Director, investigative and support staff, litigation counsel, and retained counsel. The office has the following duties.

- To receive and to respond to inquiries and grievances relating to attorneys.
- To investigate allegations of attorney misconduct or medical incapacity.
- To divert matters into an alternative to discipline program.
- To prosecute misconduct or medical incapacity proceedings.
- To investigate license reinstatement petitions.

District Committees

District Committees exist in each of the sixteen state bar districts, and consist of lawyers and public members appointed by the Supreme Court. District Committees perform the following duties under the supervision of the Director.

- To educate the bar and the public about the legal profession and ethical practice of law.
- To refer to the Director possible misconduct or medical incapacity matters.
- To assist in the investigation of possible misconduct or medical incapacity.
- To recommend to the Director the appropriate disposition of matters it investigated.
- To monitor an attorney's participation in an alternatives to discipline program or an attorney's compliance with conditions on practice.
- To assist in resolving minor disputes between an attorney and a client.

Preliminary Review Committee

The Preliminary Review Committee consists of fourteen members, nine lawyers and five public members appointed by the Court. The Committee is comprised of two seven-member panels, each having at least four lawyers and at least two public members. The panels have the following duties.

- To review the results of OLR and District Committee investigations and to determine whether there is cause to proceed in the matter.
- To review, upon request by a grievant, decisions by the Director to dismiss a grievance after investigation.
- To confer with the Board of Administrative Oversight and to suggest improvements in the operation of the Committee and its panels.

Board of Administrative Oversight

The Board of Administrative Oversight consists of twelve members, eight lawyers and four public members appointed by the Court. The Board has the following duties.

- To monitor the fairness, productivity, effectiveness, and efficiency of the system.
- To monitor the implementation of new procedures.
- To assess public and bar perceptions of the integrity of the system.
- To report its findings to the Supreme Court.
- To review the operation of the system with the Court, and to file an annual report.
- To propose substantive and procedural rules.
- To inform and educate the public and bar about the system.
- To propose an annual budget.

Special Investigative Panel

The Special Investigative Panel is composed of lawyers appointed by the Supreme Court who are not currently participating in the lawyer regulation system. The Director refers allegations of misconduct against attorneys currently participating in the system to a special investigator. In a referred matter, the special investigator performs the functions

that the Director would normally perform, which may include evaluating, investigating, dismissing, diverting, or prosecuting the matter.

Special Preliminary Review Panel

The Special Preliminary Review Panel is composed of four lawyers and three public members appointed by the Supreme Court. In matters involving allegations against current participants in the lawyer regulation system, the panel reviews the special investigator's decision to close a matter without investigation or dismiss a matter after investigation, and reviews an investigative report to determine whether there is cause to proceed.

Referees

Referees are attorneys or reserve judges appointed by the Supreme Court to perform the following duties.

- To conduct hearings in proceedings alleging misconduct or medical incapacity.
- To conduct hearings on petitions for license reinstatement.
- To review consensual public or private reprimands submitted by the Director.
- To review, upon the request of a grievant, determinations by Preliminary Review Panels of no cause to proceed.

Overview of the Lawyer Regulation System

The Wisconsin Supreme Court created the lawyer regulation system to carry out the Court's constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin. The Court has adopted standards of professional conduct for attorneys. The Court confers the privilege to practice law on an attorney conditioned on his or her compliance with those standards. SCR 21.15(2). A failure to comply with the Court's standards may constitute misconduct or may be evidence of a medical problem.

The Director of the Office of Lawyer Regulation (OLR) is required to investigate any possible misconduct or medical incapacity of an attorney licensed to practice in the State of Wisconsin. SCR 21.03(6)(a). Communications with OLR alleging lawyer misconduct are privileged, and no lawsuit predicated on those communications may be instituted against any grievant or witness. SCR 21.19. Attorneys and grievants may consult with and be represented by counsel at any stage of an investigation. Prior to the filing of a formal complaint or petition, all papers, files, transcripts and communications in an OLR investigation must be kept confidential by OLR. SCR 22.40(1). OLR may, however, provide relevant information to the respondent and the grievant. SCR 22.40(2). Although the Supreme Court Rules provide no sanction for disclosure of a grievance by the respondent or the grievant, OLR requests that those involved in an OLR investigation keep confidential all documents generated by the investigation.

Initially, OLR staff screens all inquiries and grievances concerning attorney conduct. If the allegations made are not within OLR's jurisdiction, or if the allegations are not supported by a sufficient factual basis, staff will close the file. The grievant may make a written request for the Director's review of the closure. The Director's decision is final. After preliminary evaluation, staff may also forward the matter to another agency; attempt to reconcile the matter between the grievant and attorney if it is a minor dispute; or refer the matter to the Director for diversion or investigation. Before or after investigation, the Director may divert the matter to an alternative to discipline program, providing that nothing more than minor misconduct is involved, the respondent agrees, and the respondent is eligible to participate. Alternatives to discipline are usually educational programs or monitoring arrangements designed to assist an attorney in improving the quality of his or her practice.

If the grievance sets forth sufficient information to support an allegation of a violation of Chapter 20 of the Supreme Court Rules, OLR staff may initiate an investigation. OLR staff will send a letter to the respondent enclosing the grievance and requesting a response within 20 days. In most instances, staff will forward the attorney's response to the grievant for comments. When OLR staff has completed the preliminary investigation, the Director will determine whether: (a) an uncontested violation exists; (b) the grievance should be dismissed for lack of merit; (c) further staff investigation is needed; or (d) the matter should be assigned to a district investigative committee for further investigation, pursuant to SCR 22.04(1).

If the grievance is further investigated by staff or a district committee, the respondent and the grievant will be kept advised about the investigation. The committee chairperson can assign the matter to one of the committee's investigators. Pursuant to SCR 22.04(2), the respondent may request a substitution of a district committee investigator within 14 days of receiving notice of the assignment of the investigator. The respondent shall be granted one such substitution as a matter of right, and any other requests for substitution shall be granted by the committee chairperson for good cause shown. If the committee decides to take sworn testimony regarding a grievance at an investigative meeting, the respondent and the grievant will receive timely notice of the meeting. Committee members elicit pertinent information from witnesses at such a meeting. In any matter referred to committee, the committee will prepare a report summarizing the facts and potential disciplinary violations. That report will be sent to the respondent and grievant for comment.

After the investigation is completed by staff and/or a committee, the Director may dismiss the matter for lack of sufficient evidence of cause to proceed, divert the matter to an alternatives to discipline program, obtain respondent's consent to a private or public reprimand, or present the matter to the Preliminary Review Committee for a determination of whether there is cause to proceed. In those cases in which the Director dismisses, the grievant has 30 days after receiving written notice of the dismissal to make a written request for review of the decision by the Preliminary Review Committee. The decision of the Preliminary Review Committee is final.

If, after the investigation is completed, the Director does not dismiss the grievance, seek a consent reprimand, or divert the matter, OLR staff will prepare an investigative report and provide a copy to the grievant and to the respondent for comment. [In cases in which a district committee investigates a matter, its report will serve as the investigative report.] The grievant and the respondent may submit a written response to the report no later than ten days following receipt of the report.

The Director may then submit the results of the investigation to the Preliminary Review Committee. The Preliminary Review Committee determines whether the evidence presented supports a reasonable belief that an attorney has engaged in misconduct or has a medical incapacity that may be proved by clear, satisfactory and convincing evidence. SCR 22.001(2).

If the Preliminary Review Committee determines that the Director has established cause to proceed, the Director may file a complaint with the Supreme Court alleging misconduct. OLR, rather than the grievant, is the complainant in such a matter. If the Director files a complaint, an answer is required within 20 days of service of the complaint. Upon proof of service, the Supreme Court appoints a referee to hear the matter pursuant to SCR 22.13(3). The referee holds a scheduling conference to define the issues and to determine the extent of discovery. The referee then presides at a public hearing which is conducted as a trial of a civil action to the court. SCR 22.16. OLR must prove misconduct or medical incapacity by clear, satisfactory and convincing evidence. SCR 22.38.

Within 30 days after the conclusion of the hearing, the referee will submit his or her report to the Supreme Court, including findings of fact, conclusions of law, and a recommendation of dismissal or imposition of discipline. OLR or a respondent may file an appeal of the referee's report within 20 days after the report is filed. If no appeal is timely filed, the Supreme Court reviews the referee's report and determines appropriate discipline in cases of misconduct and appropriate action in cases of medical incapacity. The Court may, on its own motion, order the parties to file briefs. Either the respondent or OLR may file a motion for reconsideration of the Supreme Court's decision within 20 days of the filing of the decision by the Court. The filing of a motion for reconsideration does not stay enforcement of the judgment. The Supreme Court's final dispositions of disciplinary and medical incapacity proceedings are published in the *Wisconsin Reports* and in *The Wisconsin Lawyer*.

The Year in Review

Significant Lawyer Regulation System Developments

The caseload increased this year. At the end of the fiscal year, there were a total of 746 matters (including 373 formal investigations), up from 651 (including 313 formal investigations) at the end of last year.

Processing times remained steady. The average processing time for intake matters increased from 39 days last year to 47 this year. The average processing time for formal investigations decreased from 338 days last year to 297 this year. Overall average processing time increased from 115 days last year to 118 days this year. The percentage of matters completed within 90 days decreased from 80% last year to 78% this year. The percentage of matters completed within 180 days increased from 87% last year to 88% this year.

While processing time remained steady, there was an increase in the number of older matters during the past year. The number of matters over a year old increased from 195 last year to 224 this year. This increase will likely affect processing times next year.

The Supreme Court met with the Board of Administrative Oversight, the Preliminary Review Committee, Special Investigators, and the Special Preliminary Review Panel on March 10, 2009, to discuss current developments in the lawyer regulation system.

The Preliminary Review Committee elected Attorney Michael Anderson of Madison chairperson and Attorney Gregory Stacker vice chairperson. The Committee met to consider matters on September 12, 2008, December 12, 2008, March 6, 2009, and June 12, 2009. The Committee considered whether cause to proceed existed in 112 matters, and reviewed the Director's dismissals in 9 matters. The Board and Office of Lawyer Regulation appreciate the Committee's exceptional service this past year. Committee meetings will continue quarterly.

The Board of Administrative Oversight elected Attorney Terry Rose of Kenosha chairperson and Mr. Steve Koszarek of Superior vice chairperson. The Board held meetings on September 5, 2008, December 5, 2008, March 6, 2009 and June 5, 2009. The Board made recommendations concerning the budget, conditional admission, a lawyer support and monitoring committee, comparable interest on lawyer trust accounts, and several rules petitions. The Board also studied sanction policies, and developed a proposal regarding permanent disbarment.

The District Committees continue to make a valuable contribution to the system, and are instrumental in resolving matters requiring a depth and breadth of legal and other professional expertise. While the committee's work involves a significant commitment of time and talent, the results are beneficial and worthwhile. A training session for new committee members was held May 6, 2009. The chairpersons met with the director in May to discuss improvements in operations.

Special Investigators and the Special Preliminary Review Panel process matters involving allegations against attorneys who serve with the regular components of the regulation system. During fiscal year 2008-2009, special investigators received 33 matters and resolved 33 matters. The Special Preliminary Review Panel met on September 19, 2008, December 5, 2008, March 6, 2009 and June 12, 2009. The Panel considered 2 matters for cause and 7 matters on review.

The alternative to discipline program provides an effective way to improve an attorney's ability to practice in accordance with high professional standards. Frequently, this is a more effective measure than professional discipline. The Court has authorized diversion to an alternative program in situations where the program will likely benefit the attorney, and where the attorney will not likely harm the public. Alternative programs may include mediation, fee arbitration, law office management assistance, evaluation and treatment for alcohol and other substance abuse, psychological evaluation and treatment, medical evaluation and treatment, monitoring of practice or trust account procedures, continuing legal education, ethics school, and the multi-state professional responsibility examination. During the fiscal year, 114 attorneys were diverted to alternative programs and 104 attorneys completed diversions.

The central intake program provides for the receipt of inquiries and grievances concerning attorney conduct, and for the preliminary evaluation of grievances prior to any formal investigation. Inquiries and grievances may be received by telephone; callers may use a toll free number to contact the Office of Lawyer Regulation. After the preliminary evaluation, the Central Intake staff may forward the matter to another appropriate agency, attempt to reconcile the matter if it is a minor dispute, close the matter if it does not present sufficient information to support an ethical allegation, or refer the matter for investigation or diversion to an alternative to discipline.

Central Intake received 2228 inquiries and grievances. This is 162 more than the prior year. Of the matters evaluated in Central Intake this past year, approximately sixteen (16%) were forwarded for formal investigation. Nine percent (9%) involved the resolution of minor disputes or grievances that were withdrawn. Seven (7%) involved diversion programs. The remaining sixty-eight percent (68%) were closed for lack of sufficient information to suggest an allegation of potential ethical misconduct.

Overdraft Notification Program. SCR 20:1.15(h), the Overdraft Notification Rule, requires attorneys to authorize their financial institutions to notify the Office of Lawyer Regulation of overdrafts on their client trust accounts and fiduciary accounts. Information regarding the trust account overdraft program is available on the Office of Lawyer Regulation's web page [www.wicourts.gov/olr].

During Fiscal Year 2009, 104 overdrafts were reported to the OLR. That number constituted a 50.7% increase from the 69 overdrafts reported in 2008, but was comparable to the 96 overdrafts reported in 2007. During the 2009 Fiscal Year, overdraft notifications resulted in the following dispositions:

Court Public Reprimand	1
Private Reprimand	1
Diversion	4
Dismissal after Diversion Program Successfully Completed	12
Dismissal after Investigation	9
Dismissal after Investigation/Advisory Letter	23
Closed without Investigation – Real Estate Exception	2

Closed without Investigation – Bank Errors	23
Closed without Investigation – Bank Errors/Advisory Letter	6

The advisory letters sent during Fiscal 2008, some of which included more than one advisory, related to the following issues and record keeping deficiencies:

Availability of Funds for Disbursement	5
Maintenance Account (to cover bank charges)	8
Deposit Slip Issues	4
Inadequate Endorsement	1
Check Drafting Errors ¹	6
Transaction Register/Client Ledger Deficiencies ²	10
Reconciliation Deficiencies	9
Inadequate Identification of Trust Account	2
Computer Software Deficiencies	3
Prohibition against Telephone/Internet Transactions	2
Other	5

Mary Hoeft Smith, OLR’s Trust Account Program Administrator, and Travis J. Stieren, Trust Account Investigator, presented ½-day seminars on trust account management on October 17, 2008 (Milwaukee), October 24, 2008 (Madison), and April 24, 2009 (Madison). Attorneys Edward Hannan (Brookfield) and Mark A. Peterson (Milwaukee) assisted OLR at these seminars by providing a practitioner’s perspective on the recordkeeping requirements. These seminars are open to lawyers and law office staff members, and are required in connection with trust account diversions. Trust account management was also one of the topics covered at OLR’s Professionalism Seminar on November 7, 2008. In addition, the Program Administrator made a presentation on trust account management to the Door County Bar Association in Sturgeon Bay on May 6, 2009.

Survey of Matters

Overall Processing

The pending caseload is 746 matters, within the system’s caseload capacity. Processing times were steady. The average processing time was 118 days. The

¹ This advisory category addresses: 1) errors stemming from the inadvertent use of a trust account check rather than a business check; 2) non-compliance with the memo line requirement to identify the client and purpose of each disbursement; and 3) the inadvisability of giving non-attorneys signatory authority for the trust account.

² This advisory category addresses: 1) maintaining a running balance in the Transaction Register and/or Client Ledgers; 2) the problems inherent to using check stubs to maintain the Transaction Register; 3) the required content of the Transaction Register and/or Client Ledgers; and 4) the misunderstanding that a settlement breakdown constitutes a Client Ledger.

percentage of matters resolved within 90 days decreased from 80% to 78% and those resolved in 180 days increased from 87% to 88%.

Grievances

In an effort to inform the Supreme Court, the Bar, and the public of the source and nature of the grievances received and the areas of practice from which grievances arise, Appendices 8A – 8C break down by category the grievances received between July 1, 2008 and June 30, 2009. In describing the nature of the grievances, only the most serious allegation is reflected. While most grievances allege various acts of misconduct, it is not practical to list all allegations.

The allegations most commonly made in a grievance were lack of diligence by the lawyer entrusted with the legal matter (30.48%), improper advocacy (13.21%), and misrepresentation/dishonesty (9.19%). See Appendix 8A. The two areas of practice that produced the largest number of grievances during the year were criminal law and family law (see Appendix 8B). It is important to point out that while clients file the majority of grievances, anyone can file a grievance. Appendix 8C illustrates the sources from which grievances were received during the fiscal year.

Discipline

In fiscal year 2008-2009, forty attorneys received a public disciplinary sanction, including one revocation, fourteen suspensions and one medical suspension. There were three public reprimands imposed by the Supreme Court and twenty-one consent reprimands issued by Supreme Court Referees. Additionally, the court temporarily suspended six attorneys, and dismissed seven disciplinary complaints. At the end of the year, 100 formal disciplinary matters were pending in the Supreme Court, down from 101 last year. Appendix 9 shows the numbers and percentages of attorneys receiving public discipline since fiscal year 1978-1979. Appendix 10 shows the type of misconduct found in public discipline decisions. Appendix 11 shows the areas of practice in which discipline was found in public decisions.

A Referee has authority, under SCR 22.09(3), to issue private reprimands pursuant to an agreement between the Director and the attorney. Typically, a private reprimand is imposed for an isolated act of misconduct that caused relatively minor harm. The Director does not enter an agreement for a private reprimand if public disclosure of the attorney's misconduct is necessary to protect the public. Private reprimands are retained permanently and are available as an aggravating factor on the issue of sanction if the attorney commits subsequent misconduct. As a means of educating the Bar, summaries of private reprimands, without any reference to or identification of the attorney involved, are printed every six months in the *Wisconsin Lawyer* magazine.

During this fiscal year, forty attorneys received private reprimands. The Supreme Court issued two private reprimands. One Hundred Fourteen (114) attorneys entered the

alternatives to discipline program and One Hundred Four (104) attorneys completed an alternative program.

Other dispositions included:

- 1355 inquiries that did not warrant investigation. These matters were closed after the initial intake evaluation because there was insufficient information to support an allegation of misconduct or were disputes that were resolved without investigation.
- 73 dismissals after investigation in cases where there was insufficient evidence of a violation.
- 35 dismissals with an advisory letter. This disposition occurs in cases where the evidence is insufficient to prove a violation, but where practical advice would be helpful to an attorney.
- 18 closed pending petition for reinstatement.

Following is a summary of public discipline cases for fiscal year 2008-2009.

SUMMARY OF PUBLIC DISCIPLINE				
Office of Lawyer Regulation				
July 1, 2008 to June 30, 2009				
Attorney	Admitted	Location	Decided	Effective
<u>Revocation</u>				
Michael F. Swensen	2-22-94	Delano, MN	07-31-08	7-31-08
<u>Medical Suspension</u>				
Godfrey Y. Muwonge	05-19-97	Milwaukee, WI	12-23-08	12-23-08
<u>Three Year Suspension</u>				
Michelle L. Tully	08-02-93	Lake Villa, MN	10-29-08	10-29-08
Keith R. Hughes	01-17-89	Eagle River, WI	10-14-08	10-14-08
<u>One Year Suspension</u>				
Michael D. Mandelman	01-16-80	Mequon, WI	05-29-09	05-29-09
Terrence J. Woods	06-07-65	Oconto Falls, WI	01-21-09	01-21-09
<u>Eighteen Month Suspension</u>				
Carlos Alberto Gamino	05-19-97	Waukesha, WI	07-30-08	09-02-08
<u>Nine Month Suspension</u>				

Scott E. Hansen	09-13-83	Appleton, WI	06-18-09	06-18-09
Arik J. Guenther	09-14-81	Fond du Lac, WI	03-24-09	03-24-09

Six Month Suspension

Joan Marie Boyd	05-22-89	Shawano, WI	06-26-09	06-26-09
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Five Month Suspension

Joan Marie Boyd	5-22-89	Shawano, WI	07-18-08	08-25-08
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Ninety Day Suspension

Terrence J. Woods	06-07-65	Oconto Falls, WI	07-08-08	08-11-08
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Gene Bradley Radcliffe	06-28-76	Neillsville, WI	12-23-08	01-19-09 Reinstated 04-24-09
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Sixty Day Suspension

R. L. McNeely	01-10-95	Germantown, WI	07-15-08	08-25-08 Reinstated 10-29-08
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Maureen B. Fitzgerald	05-22-95	Milwaukee, WI	07-17-08	07-17-08
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Thirty Day Suspension

Eric L. Crandall	09-19-92	New Richmond, WI	07-31-08	09-2-08 Reinstated 10-10-08
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Admitted Location Decided

Court Public Reprimand

Jeffrey R. Kohler	09-18-84	Spooner, WI	03-24-09
Tim Osicka	09-24-86	Schofield, WI	05-28-09
Dennis Joseph Ryan	09-19-95	Madison, WI	05-29-09

Consent Public Reprimand

Admitted Location Decided

Arreazola, Patricia	01-07-92	Janesville, WI	03-30-09
Bergstrom, Nancy	06-17-86	Merrill, WI	04-01-09
Warren Lee Brandt	09-29-78	Prescott, WI	06-09-09
Holly L. Bunch	06-18-90	Milwaukee, WI	06-30-09
Christopher S. Carson	05-18-92	Elm Grove, WI	05-18-09

Michael J. Collins	05-19-77	Madison, WI	10-29-08
Christopher W. Duren	09-30-97	Waunakee, WI	12-17-08
Robert Earl Haney	06-21-94	Milwaukee, WI	04-21-09
Charles J. Labanowsky	05-19-75	Kenosha, WI	03-16-09
Alysia E. LaCounte	06-17-92	Black River Falls, WI	04-16-09
Peter John Manghera	01-30-95	Dallas, TX	01-12-09
Roger G. Merry	06-04-81	Monroe, WI	08-12-08
Jeffrey C. Mochalski	09-27-85	LaCrosse, WI	08-01-08
Thomas O. Mulligan	12-19-95	Spooner, WI	01-29-09
Wendy A. Patrickus	09-15-88	Milwaukee, WI	03-27-09
Andrew T. Salentine	05-18-92	San Francisco, CA	06-30-09
Scott Selmer	09-15-78	Minneapolis, MN	02-17-09
William P. Skemp	06-09-58	LaCrosse, WI	07-14-08
Patrick S. Vida	05-18-87	South Milwaukee, WI	04-24-09
Joseph L. Viney	06-22-77	Baraboo, WI	12-03-08
Howard A. Young	06-15-83	Middleton, WI	04-24-09

Reinstatements

During fiscal year 2008-2009, the Court completed action on 21 reinstatement petitions, 16 administrative and 5 disciplinary. Following is a summary of reinstatements.

SUMMARY OF REINSTATEMENTS Office of Lawyer Regulation July 1, 2008 – June 30, 2009

Attorney	Location	Received	Decided	Outcome
<u>Administrative</u>				
Thomas E. Skowronski	Fort Wayne, IN	11-11-08	12-22-08	Granted
Margaret Mary Brick	Weare, NH	09-23-08	12-16-08	Granted
Joseph H. Bestul	Peachtree City, GA	06-27-07	10-01-08	Granted
Edward B. Pasque	Philadelphia, PA	10-21-08	02-18-09	Granted
James W. Weisberg	Boca Raton, FL	04-07-08	08-15-08	Granted
Jeanette Ahlers Bartley	Bloomington, IL	05-28-08	09-12-08	Granted
Shelly A. Grogan	Milwaukee, WI	07-14-08	02-12-09	Granted
Vonda Fritz	Las Vegas, NV	05-14-08	01-21-09	Granted

Victoria Lynn Seward	Fitchburg, WI	05-30-08	01-05-09	Granted
Rachel T. Mokelke	Verona, WI	01-20-09	04-22-09	Granted
Beatrice A. Cameron	Madison, WI	08-01-08	06-02-09	Granted
Jeffrey S. Szorik	Lake Bluff, IL	09-29-08	02-11-09	Granted
Hector E. Salitrero	San Jose, CA	01-07-08	02-12-09	With Conds.
Charles J. Chvala	Madison, WI	01-10-08	09-18-08	With Conds.
Brian Keith Polk	Racine, WI	03-04-08	09-12-08	Withdrawn
Negatu Molla	Tucson, AZ	11-03-06	07-29-08	Dismissed

Disciplinary

Kristin J. Gernetzke	Onalaska, WI	08-31-07	07-17-08	Granted
Brian B. Burke	Milwaukee, WI	10-30-07	10-09-08	Granted
John Francis Scanlan	Chicago, IL	06-26-08	08-27-08	Granted
David V. Jennings	Cedarburg, WI	06-26-08	03-24-09	Denied
Arik J. Guenther	Fond du Lac, WI	01-08-08	09-12-08	Dismissed

Finances

The legal profession is unique in assuming the costs for policing itself. An assessment on every member of the State Bar of Wisconsin pays the costs and expenses of the lawyer regulation system, including all the costs and expenses of the Office of Lawyer Regulation, District Committees, Preliminary Review Committee, and Board of Administrative Oversight. To help offset the costs, the Office of Lawyer Regulation collects costs from attorneys disciplined in formal court proceedings and collects fees on petitions for reinstatement. Collections for fiscal year 2008-2009 were approximately \$100,854.

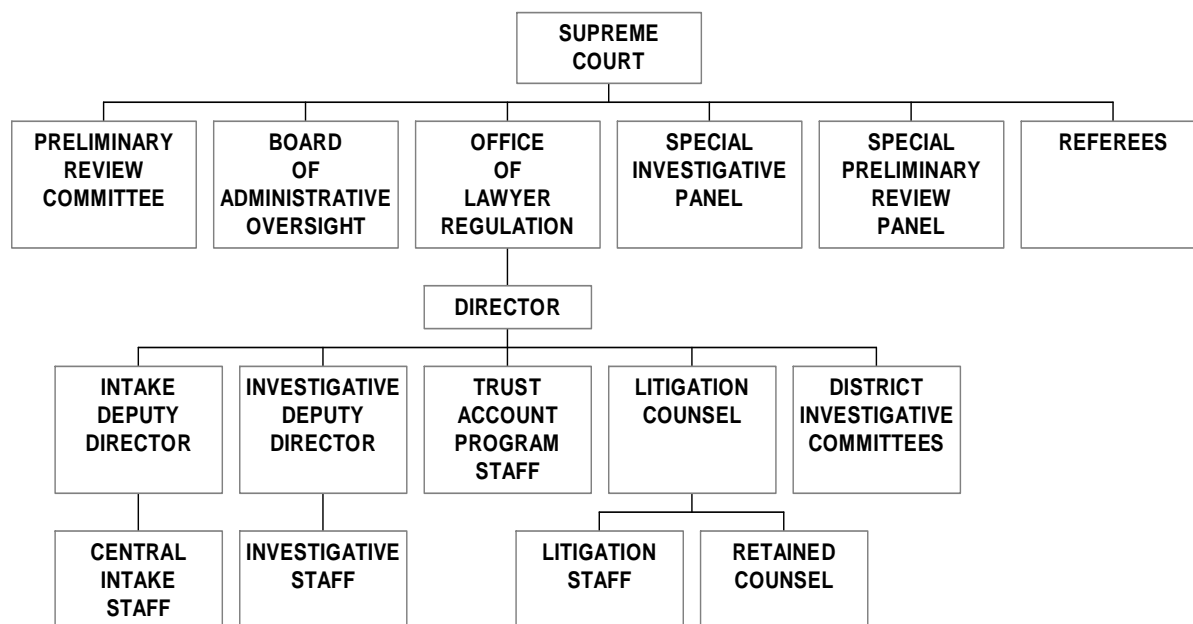
The budget for fiscal year 2009-2010 is \$2,888,700, down from \$2,957,100 last year. The assessment remains at \$148.00. The assessment is in line with disciplinary assessments for neighboring jurisdictions: \$289.00 for Illinois, \$140.00 for Iowa, \$315.00 for Michigan, and \$218.00 for Minnesota. The assessment for Colorado, which has a similar program and lawyer population, is \$225.00.

The Year Ahead

Challenges lay ahead to address the increase in caseload and matters over a year old, while holding the assessment at the same level. During the year, substantial work is expected on a proposal for permanent revocation and a lawyer support and monitoring committee. Information regarding pending petitions is available from the Court's website: www.wicourts.gov. Further information regarding the lawyer regulation system is available at www.wicourts.gov/olr.

APPENDIX 1

***ORGANIZATIONAL CHART OF THE
LAWYER REGULATION SYSTEM***



APPENDIX 2

COMPOSITION OF THE LAWYER REGULATION SYSTEM

WISCONSIN SUPREME COURT

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

OFFICE OF LAWYER REGULATION

Keith L. Sellen, Director

John K. O'Connell, Deputy Director-Investigations
Elizabeth Estes, Deputy Director-Intake
William Weigel, Litigation Counsel
Julie M. Scott, Assistant Litigation Counsel
Sheryl St. Ores, Assistant Litigation Counsel
Mary Hoeft Smith, Trust Account Program Administrator
Carol Kornstedt, Office Manager

Investigative Staff:

Mary A. Ahlstrom
Lorry Eldien
Cathe Hahn
Ellen B. Healey
Emily Kokie
Alice O'Mahar
Sarah Peterson
Melody Rader-Johnson
Cynthia Schally
Kay Sievers
Travis Stieren
Nancy L. Warner
Jonathan Zeisser

Support Staff:

Sheri Carter
Heidi Johnson
Maura Kelly
Mary McMillan
Carol Rymer
Susan Stock
Sarah Unruh
Deborah White

FISCAL YEAR 2008-2009 RETAINED COUNSEL

Matthew Anich	Ashland
Wayne Arnold	Rice Lake
Thomas Basting	Madison
William Bedker	Watertown
Gene Gasiorkiewicz	Racine
Gregg M. Herman	Milwaukee
Robert G. Krohn	Janesville
Ronald P. LeFever	Brookfield
Matthew Price	Wauwatosa
Paul W. Schwarzenbart	Madison
Gregory P. Seibold	Florence
Denis Vogel	Madison

DISTRICT COMMITTEE MEMBERS

*Public Members

District No. 1 (Jefferson, Kenosha, Walworth Counties)

(Chairperson) John P. Higgins

Matthew Vignali	Kenosha
Robert I. DuMez	Milwaukee
*John G. Braig	Kenosha
F. Mark Bromley	Kenosha
*Jeffrey B. Cassity	Whitewater
*Gerald Pelishek	Kenosha
*William J. Brydges	Darien
*Dr. Randall J. Hammett	Kenosha
Timothy J. Geraghty	Kenosha
*Jerome Honore	Kenosha
Raymond E. Krek	Kenosha
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Milwaukee

Mequon

Milwaukee

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Milwaukee

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Milwaukee

Milwaukee

West Allis

Shorewood

Milwaukee

Milwaukee

Milwaukee

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Milwaukee

Milwaukee

Milwaukee

Milwaukee

Milwaukee

Greendale

Milwaukee

Milwaukee

Milwaukee

Milwaukee

Milwaukee

Milwaukee

South Milwaukee

Milwaukee

Wauwatosa

Wauwatosa

Milwaukee

Mequon

Milwaukee

Milwaukee

West Allis

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Neenah
Oshkosh
Oshkosh
Berlin
Fond du Lac
Oshkosh
Fond du Lac
Oshkosh
Oshkosh
Oshkosh
Oshkosh

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Two Rivers
Sturgeon Bay
Elkhart Lake
Egg Harbor
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Sheboygan
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Waukesha
Oconomowoc
Waukesha
Brookfield
Dousman
Brookfield
Waukesha
Waukesha
Pewaukee
Waukesha
Waukesha
Waukesha
Hartland
Brookfield
St. Francis

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Stevens Point
Wisconsin Rapids
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Stevens Point
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Green Bay
Green Bay
Green Bay
Oneida
Green Bay
Green Bay
Green Bay
Green Bay
Green Bay
DePere
Green Bay

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Racine
Racine
Racine
Racine
Racine
Racine
Racine
Sturtevant
Burlington
Racine
Racine
Burlington
Racine
Racine

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Edgar
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PRELIMINARY REVIEW COMMITTEE

Attorney Michael S. Anderson, CHAIRPERSON Madison, WI

Attorney Michael S. Anderson is a partner of Axley Brynson, LLP in Madison, where his practice emphasizes commercial and personal injury litigation; he is also external General Counsel to InterVarsity Christian Fellowship/USA. He was a member of District 9 Professional Responsibility Committee, which assists the Office of Lawyer Regulation with investigations into possible lawyer misconduct, for nine years. For many years he has been listed *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law*. Anderson is a past member of the Bench and Bar Committee of the Wisconsin State Bar, the Boards of Directors of Wisconsin's Equal Justice Fund, Inc., Oakwood Village East (Continuing Case Retirement Communities) Chair, and Nehemiah Community Development Corporation, and he serves on the Blackhawk Church Elder Board.

Attorney Gregory Stacker, VICE CHAIRPERSON Wausau, WI

Attorney Gregory J. Stacker is a partner in Pietz, VanderWaal, Stacker & Rottier, S.C. in Wausau, Wisconsin. He focuses his legal practice in the areas of corporate law, corporate litigation, personal injury, worker's compensation, tax law, real estate law, estate planning and probate. He has 18 years of experience, has also earned an accounting degree from the University of Washington in Seattle, and has extensive experience in advising individuals and businesses relative to strategic planning and personnel issues. He also helps people maintain and operate their active entities and has been involved with the formation of business entities, including limited liability companies, corporations and partnerships. He has appeared in front of federal and state agencies including the Internal Revenue Service and the Department of Workforce Development. He is a member of the Marathon County Bar Association, American Bar Association and the State Bar of Wisconsin.

Attorney Robert J. Asti Cedarburg, WI

After practicing in Milwaukee Attorney Robert J. Asti joined the Cedarburg law firm of Levy & Levy, S.C. in 1983 where he focuses primarily on litigation. He is a past member of the Wisconsin State Bar's Board of Governors (2005 to 2009), and a current member of the Wisconsin State Bar's Board of Bar Examiners Review Committee (1997 to present) and Chair (2004 to present). He is a former member of the State Bar's Alternative Disputes Resolution Section Board of Directors (1996 to 2003) and a past Secretary. He is admitted to practice before all Wisconsin State Courts, the Federal Courts for the Eastern and Western Districts of Wisconsin, the 7th Circuit Court of Appeals, and the U.S. Supreme Court.

Attorney Asti is a member of the Wisconsin Association for Justice, the American Association for Justice, and the Ozaukee County Bar Association (past president). Attorney Asti received a B.B.A. in 1971 from the University of Wisconsin-Milwaukee, a J.D. in 1974 from Marquette University Law School, and a M.B.A. in 1975 from Marquette University.

Attorney Terence J. Bouressa
Green Bay, WI

Attorney Bouressa is a member of Stellflug Law, S.C., in De Pere. He is a life long resident of the Fox Valley, graduating from Kimberly High School in 1976 and the University of Wisconsin Oshkosh in 1980. In 1983 he graduated from Pepperdine University of Law in Malibu, California where he was a published member of the Law Review. Mr. Bouressa maintains a broad based diversified litigation practice including trial and appellate work; in addition he also provides alternative dispute resolution services as a mediator and arbitrator.

John W. Campion
Racine, WI

Attorney Campion is a criminal defense practitioner in Racine. Previously, he was a public defender in New Hampshire and then in Sheboygan and Racine for seven years. He entered private practice in 1995. He is a member of the Wisconsin Association of Criminal Defense Lawyers Board of Directors and a member of the National Association of Criminal Defense Lawyers. Mr. Campion is a 1988 graduate of the University of Wisconsin Law School. He also has an undergraduate degree from UW-Madison.

Attorney Donald J. Christl
Milwaukee, WI

Attorney Christl received his B.A. from St. Mary's University, Winona, MN, graduated in 1963 summa cum laude. He attended the University of Chicago Law School and received his law degree in 1966. Since then, he has been in practice with Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C., Milwaukee. Attorney Christl is involved in numerous professional and community activities, including the Milwaukee Bar Association, Milwaukee Bar Foundation, Wisconsin Courts Committee on Fee Arbitration, State Bar of Wisconsin, District II Professional Responsibility Committee, American Bar Association, Milwaukee County Boy Scouts Counsel Board of Trustees Chairman 2006-present, American Heart Association, Friends of Channels 10/36 and United Way of Greater Milwaukee.

Attorney Michael R. Cohen
Eau Claire, WI

Michael Cohen is a graduate of Dartmouth College and the University of Wisconsin-Madison Law School. He is a partner in Johnson & Cohen, S.C. in Eau Claire. The firm's practice is limited to criminal defense and family law matters. Attorney Cohen practices solely in the area of criminal defense and is licensed both with the State of Wisconsin and the Western District of Wisconsin. Attorney Cohen is also actively involved in community activities, serving on various local boards including the Chippewa Valley Chapter of the American Youth Soccer Organization, the Chippewa Valley Chapter of the American Red Cross and is past-president of the Eau Claire Morning Rotary. He is a Scout Master with one of the local

Eau Claire Boy Scout Troops and is an executive member at large for the Eau Claire County Bar Association and a member of the Board of Directors for the Wisconsin Association of criminal Defense Lawyers.

**Ms. Patricia Evans
Madison, WI**

Patricia Evans is retired from the University of Wisconsin, Department of Pathology and Laboratory Medicine. She was employed as a senior lecturer in the Clinical Laboratory Science Program. She is a member of the American Society for Clinical Laboratory Science, Wisconsin Society for Clinical Laboratory Science, Madison Area Society for Clinical Laboratory Science, American Association of Blood Banks, American Association for the Advancement of Science, American Society of Clinical Pathologists, American Association of University Women, University of Wisconsin Madison Retirement Association, the YWCA, the Wisconsin Retired Educators Association and State Coordinating Council of AARP Wisconsin.

**Claire Fowler
Hubertus, WI**

Claire Fowler is a retired business owner who sold her business to her daughter who now runs the multi-million dollar business. She volunteers for SCORE/SBA, counseling business start up and expansion as well as teaches Junior Achievement business principles. She was founder of the Wisconsin Business Women's Coalition, served on the State Job Training Council and WOW Private Industry Council. Previously she served on the Lawyer Regulation Board of Administrative Oversight.

**Attorney Edward Hannan
Brookfield, WI 53005**

Edward A. Hannan was awarded a J.D. by the University of Wisconsin-Madison in 1976. He is the founding member of Hannan & Associates, LLC, a civil trial and appellate practice law firm emphasizing the representation of litigants in the following subjects: professional liability, licensing and ethics involving architects, engineers, accountants, attorneys, and real estate brokers; construction law; and claims and disputes arising under professional liability policies and comprehensive general liability policies. Among other professional organizations, he is an active member of the ABA (House of Delegates 2004-2006), and the Wisconsin State Bar (OLR Preliminary Review Committee, August 2008 –September, 2011; Standing Committee on Professional Ethics, June 2002-August 2008; OLR District II Investigative Committee (Milwaukee), September 2001 – August 2008, Chair 2007). He lectures frequently on professional ethics and responsibility.

**Professor Majid Sarmadi
Madison, WI**

Professor Sarmadi is a faculty at the University of Wisconsin-Madison since 1986. He received his PhD from Virginia Tech in 1986 in Textile Science. A Rothermel Bascom Professor, he directs graduate students in the Materials Science graduate program and the textile science specialization of the Human Ecology: Design Studies graduate degree. His

research focus includes: Chemical properties and structures of textile fibers; plasma modifications of materials, wettability, dyeing and finishing. He has received many awards including but not limited to: the Harold Dwitt Smith Memorial Medal presented by ASTM international, 2002; Faculty Professional Excellence Award, 1997; Certificate of Award for second place paper, Inter-sectional Technical Paper Competition, International Technical Conference, AATCC, 1995; Certificate of Award for Excellence in Outreach, School of Human Ecology UW-Madison, 1990. He is the author and coauthor of more than 60 papers and holds four patents in the area of dyeing, finishing and plasma modification of films and fibrous materials. He has also served as consultant for industries, state procurement offices and judicial system on issues such as wettability, dyeability, flammability, and minimum specifications for carpet and other textile materials. Professor Sarmadi's work connects him with Forestry, Chemistry, CPAM, Materials Science, Pharmacy and Medical School.

**Jerry Sauve, Marinette County Chief Deputy Sheriff
Marinette, WI**

Jerry Sauve has been with the Marinette County Sheriff's Department for 25 years, serving in many capacities ranging from Deputy Jailer, Patrol Deputy, Patrol Sergeant, Patrol Lieutenant and Investigative Lieutenant. Since 2005, he has been Chief Deputy of the Department. He holds a Bachelor of Science Degree in Criminal Justice from Northern Michigan University and has gained advanced training in law enforcement from the F.B.I. and Wisconsin Department of Justice. He is married with three adult children and lives in the City of Marinette where he has served on the Marinette City Council for three terms (1994-2000). He has also served on various volunteer civic boards and commissions including the Shelter-Care and Group Home, Mental Health Consortium and Courthouse Security Committee. He is also a member of Elks Lodge and Knights of Columbus.

**Attorney James R. Smith
Sturgeon Bay, WI**

Jim Smith is a senior partner at the Pinkert Law Firm in Sturgeon Bay, Wisconsin. He is a member of the Local Bar Relations committee of the Wisconsin State Bar. He practices in the areas of real property law, condominium law, and zoning and land use law. He has extensive experience in real estate transactions, including drafting contracts and advising clients in the sale and purchase of residential, commercial and industrial properties. He also drafts condominium documents and advises condominium associations. Finally, Jim practices in the area of zoning and land use law where he represents clients who are seeking zoning changes, variances, conditional use permits, and other land use permits in proceedings which are held before village, town and county zoning boards and committees. Jim serves and has served on various non-profit service organizations in Door County including the Sunshine House, United Way, Legal Aid Society and the like.

BOARD OF ADMINISTRATIVE OVERSIGHT

Attorney Terry Rose, CHAIRPERSON Kenosha, WI

Attorney Rose is a partner with Rose & Rose, Attorneys. Rose is a trial lawyer who practices both civil and criminal litigation. He is a graduate of Northwestern University and the University of Wisconsin Law School. Since 1986, he has served on the Kenosha County Board of Supervisors, formerly holding the positions of Chair of the Finance Committee, and Vice Chair and Chair of the Board. He also formerly held the position of Interim Kenosha County Executive. In addition, he has been involved in community affairs as former president of the Kenosha County Bar Association, former president of the Kenosha Symphony Association, former president of United Way of Kenosha County, former president of C.Y.C. Youth Center in Kenosha and chair of the Kenosha Airport Commission.

Steven J. Koszarek, VICE CHAIRPERSON Superior, WI

Steve Koszarek is the Douglas County Administrator. He has worked for Douglas County for 35 years, having spent 10 years in the Juvenile Court office, five years as the Director of Human Services and over seven years as County Administrator. He has been active in the community, having served on the United Way Board and is a past president. He is a past chairperson of the Board of Directors of the local YMCA and is a member of the Optimist Club.

Attorney Barrett J. Corneille Madison, WI

Barrett J. Corneille is a partner in the Madison law firm of Corneille law Group LLC. He received his undergraduate degree from DePauw University and his law degree from the University of Wisconsin Law School. He is board certified as a Civil Trial Advocate by the National Board of Trial Advocacy. He is past President of the Civil Trial Council of Wisconsin, and a past member of the State Bar of Wisconsin Professional Ethics Committee. From 1985-1994, he served on the District 9 Board of Attorneys Professional Responsibility Committee. He is a member of the Defense Research Institute and the Civil Trial Council of Wisconsin, the Federation of Defense and Corporate Counsel, and International Association of Defense Counsel, and former member of the American Inns of Court. His practice is limited to civil litigation.

Claude Gilmore Madison, WI

Claude Gilmore is the Department of Health Services' Youth Policy Director. His responsibilities include serving as a coordinated school health and adolescent health consultant and providing strategic direction and policy development across divisions and bureaus. On July 7, 2009, he was appointed the Interim Minority Health Officer for the Department of Health Services and the Division of Public Health. Gilmore has over 25 years of experience in the public sector with expertise in community organizing, clinical direct services, managerial and public administration. In addition to his volunteer role on the Board

of Administrative Oversight, Claude is Emerging Public Health Fellow from the University of North Carolina-Chapel Hill and a deacon at Mount Zion Baptist Church.

Ms. Deanna M. Hosin, RN, BSN-CCRN, EJD
Pleasant Prairie, WI

Deanna Hosin has been a registered nurse in critical care medicine for 20 years. She is a board certified critical care nurse responsible for training, resourcing and coordinating the care of a multi-patient population at United Hospital System for novus nurses and nurses seeking a specialty in heart training. Previous positions held are diabetic educator, quality assurance council member and retention and recruitment committee. Deanna has recently completed an EJD degree at Concord Law School and has worked in many state of the art institutions as the University of Chicago, Cedars Sinai Hospital, St. Lukes Hospital, Milwaukee and United Hospital System. Specialties consist of invasive cardiology and neuro-trauma.

Attorney Mark A. Peterson
Milwaukee, WI

Attorney Peterson is a civil litigation and trial attorney with the Milwaukee law firm of McNally, Maloney and Peterson, S. C. He began practicing in 1975 and is a member of the Wisconsin and Colorado Bars. Peterson is also admitted in the Federal District Courts of Wisconsin, Colorado and Minnesota, the U.S. 7th and 10th Circuits, U.S. Claims Court and U.S. Supreme Court. He is board certified as a Civil Trial Advocate by the National Board of Trial Advocacy and has taught courses on litigation and ethics issues. From 1991, he served as a member and later chair of the District 2 Board of Attorneys Professional Responsibility Committee and from 2001 through 2007 was a member of the Special Investigative Panel of the Office of Lawyer Regulation. Peterson is currently a member of the Eastern District of Wisconsin Bar Association Board of Directors. He also serves as a mediator and arbitrator.

Attorney Scott Roberts
Stevens Point, WI

Attorney Scott Roberts is a Wisconsin native who served as Assistant District Attorney in Rusk County from 1979-1980 and in Rock County from 1980-1982. He served as a State Public Defender in Rock County from 1982-1985, and in Milwaukee County from 1986-1991. He worked as an Assistant District Attorney in Portage County from 1991-2000, and now does criminal defense in solo practice in Stevens Point. He has tried approximately 259 jury trials, and recently prosecuted a shaken baby case that occurred more than 20 years ago. He was a main presenter at the Third National Conference on Shaken Baby Syndrome in 2000.

Attorney Rod W. Rogahn
Delafield, WI

Rod W. Rogahn is the Vice President and General Counsel of Generac Power Systems in Waukesha, Wisconsin. Prior to his role at Generac, Rod was the owner of his own firm, Rogahn Law Offices in Delafield. He has extensive litigation experience, and has handled

matters nationally for Generac in both state and federal courts. Also, Rod served six years with the District 6 Investigative Committee in Waukesha, Wisconsin.

**Attorney Alice A. Rudebusch
Racine, WI**

Alice Rudebusch is the Judicial Court Commissioner of Racine County and the Municipal Judge of the City of Oak Creek. Her prior experience includes 14 years in private practice as a trial lawyer with Hanson & Gasiorkiewicz, S.C. She has also served as an alderperson on the City of Oak Creek Common Council and is a past president of the YWCA of Racine.

**Ms. Sharon Schmeling
Jefferson, WI**

Sharon Schmeling has served as Chairman of the Jefferson County Board of Supervisors, which employs 750 people with a budget of \$82.6 million, since 2004. Prior to serving as Jefferson County's chief elected official, Sharon worked as a lobbyist and public policy advocate on state and national issues for a variety of non-profit organizations for 12 years. Her projects included work for the White House and the Governor. Previously she spent ten years as a daily newspaper reporter covering local and state government for The Milwaukee Journal, the Madison Capital times and the Allentown Morning Call in Pennsylvania. She is a graduate of Marquette University and earned a Masters Degree from Villanova University. She served on the Supreme Court's PPAC Courthouse Security Subcommittee from 2007-2009.

**Attorney Thomas Sleik
LaCrosse, WI**

Attorney Sleik is a partner in the LaCrosse firm of Hale, Skemp, Hanson, Skemp & Sleik. His practice includes family law, employment law and business law. He is the past president of the State Bar of Wisconsin, past member and chairman of the Wisconsin Judicial Commission, and he formerly served on his BAPR District Committee. He is currently a member and chair of the LaCrosse Public Library Board, a member of the Board of Trustees of Oktoberfest USA, a member of the Board of Directors of Franciscan Skemp Healthcare in LaCrosse and a member of the Board of Directors of Wisconsin Lawyers Mutual Insurance Company.

**Attorney Harvey L. Wendel
Madison, WI**

Attorney Wendel has over 40 years of experience representing clients in real estate development and financing, including sales and acquisitions. He was ranked as one of the top alternate dispute resolution lawyers in Dane County in a poll of lawyers published by the *Madison Magazine* in January, 2003. Mr. Wendel currently serves as a member of the Board of Directors and Loan Committee of Wisconsin Community Bank (a subsidiary of Heartland Financial USA, Inc., headquartered in Dubuque, Iowa). He is past President of the Senior Lawyers Division of the State Bar of Wisconsin. He is currently chairman and serves on the Board of the Dane County Bar Senior Lawyers Section and also serves as a member of the

Executive Committee of the Dane County Bar Association. He has also served as an arbitrator as a member of the Panel of Neutrals of the American Arbitration Association Board of Arbitrators. Mr. Wendel has also been appointed to the Wisconsin Supreme Court Board of Administrative Oversight, which monitors the State of Wisconsin Attorney Regulation System.

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Attorney Ann Mayberry-French	Milwaukee
Attorney William Retert	Fond du Lac
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Attorney Deborah M. Smith	Madison
Attorney Todd Smith	Madison
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Michael Francis Dubis
William Eich
Judge James R. Erickson
Richard M. Esenberg
Kevin L. Ferguson
Henry A. Field, Jr.
John A. Fiorenza
Curry First
Dennis J. Flynn
David R. Friedman
Amy Gentz
Lisa C. Goldman
Jonathan V. Goodman
Stanley F. Hack
Russell L. Hanson
Daniel L. Icenogle
Sean P. Maloney
James W. Mohr
Richard P. Mozinski
James B. Murphy
Richard Ninneman
Kim M. Peterson
Catherine Rottier
Steven Schilke
John N. Schweitzer
Judith Sperling Newton
Christine Harris Taylor
Thomas H. Taylor
Konrad Tuchscherer
Timothy L. Vocke
Cheryl Rosen Weston
James T. Winiarski

Sparta
Madison
Wauwatosa
LaCrosse
Milwaukee
Waterford
Madison
Lake Havasu City AZ.
Milwaukee
Madison
Madison
Mequon
Milwaukee
Racine
Madison
Madison
Madison
Milwaukee
Milwaukee
Westby
Readstown
Madison
Hartford
Manitowoc
Kohler
Milwaukee
Oconomowoc
Madison
Genoa
Madison
Madison
Milwaukee
La Crosse
Wausau
Rhineland
Madison
Milwaukee

APPENDIX 3

NEW MATTERS AND DISPOSITIONS, FISCAL YEAR 2002-2009

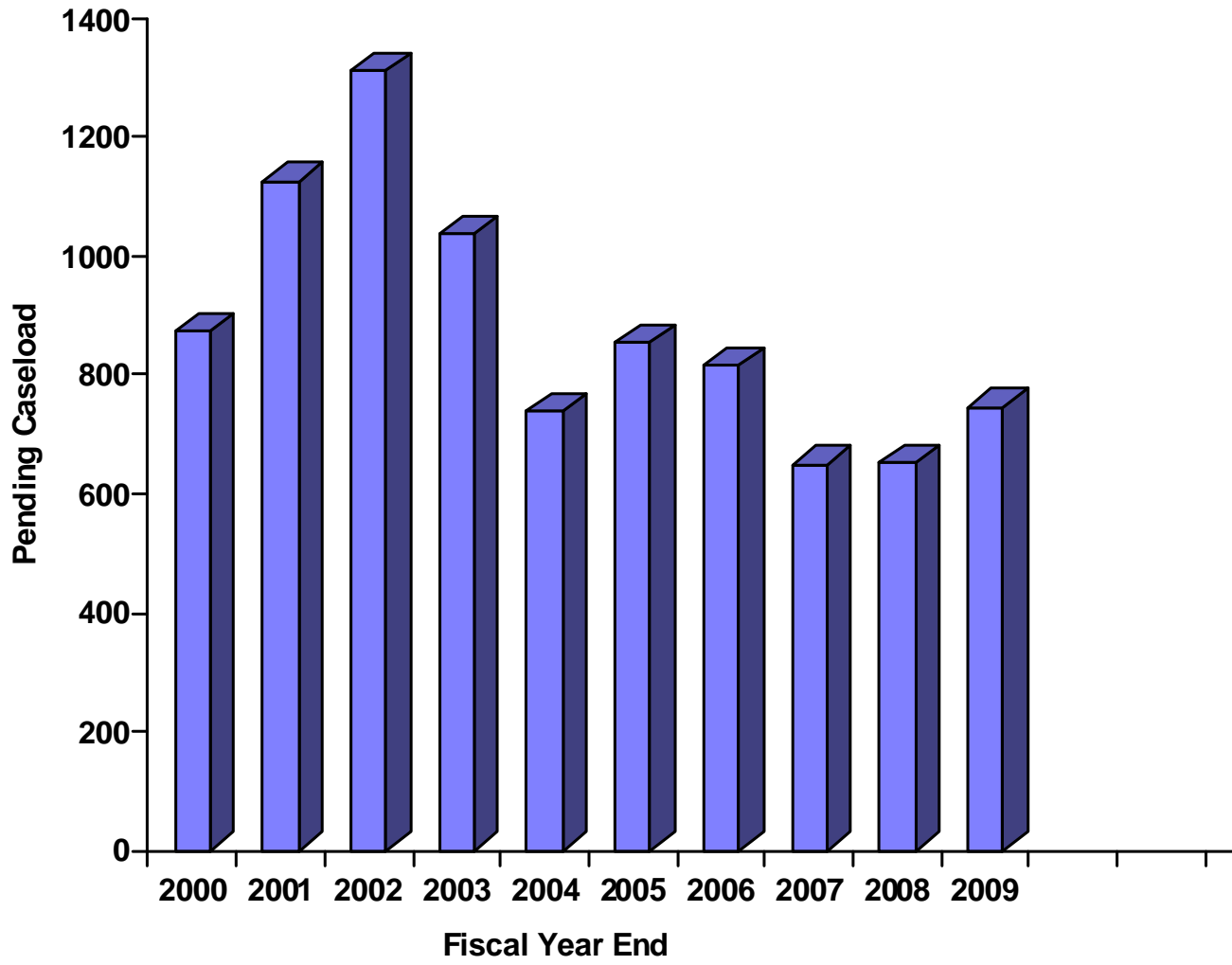
	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09
Number of Attorneys	20,772	21,112	21,518	21,837	22,225	22,637	23,013	23,425
Number Pending at Beginning of Fiscal Year	1,127	1,313	1,037	738	855	817	619	651
*Adjustments (106)	(109)	(80)	(93)	(162)	(103)	(100)	(31)	
New Matters	2,423	2,261	2,225	2,105	2,061	1,896	2,066	2,228
Dispositions	2,346	2,617	2,617	2,150	2,202	2,194	2,065	2,239
Pending at Close of Fiscal Year	1,313	1,037	738	855	817	619	651	746

*Adjustments include appealed matters that are reopened and other administrative changes made during the fiscal year

APPENDIX 4

PENDING CASELOAD

Fiscal Years 2000 - 2009



APPENDIX 5

EFFICIENCY AND PRODUCTIVITY

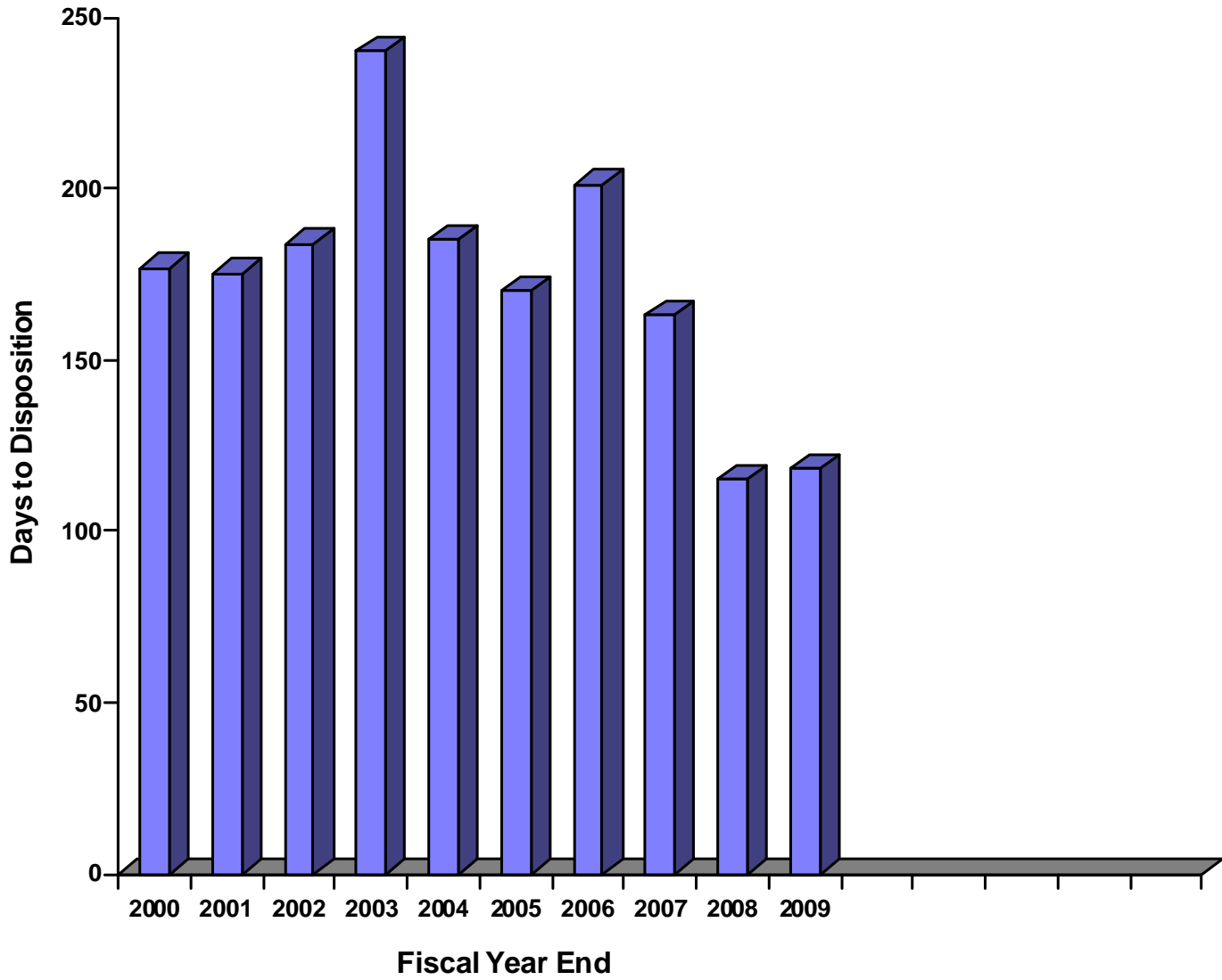
	FISCAL YEAR 2003	FISCAL YEAR 2004	FISCAL YEAR 2005	FISCAL YEAR 2006	FISCAL YEAR 2007	FISCAL YEAR 2008	FISCAL YEAR 2009
*AVERAGE TIME FOR DISPOSITION	240 DAYS	185 DAYS	170 DAYS	201 DAYS	163 DAYS	115 DAYS	118 DAYS
MATTERS OVER ONE YEAR OLD	293	252	290	236	216	193	224
PERCENTAGE OF MATTERS OVER ONE YEAR OLD	31%	34%	34%	29%	35%	27%	27%
PERCENTAGE OF MATTERS CLOSED WITHIN 90 DAYS	50%	64%	71%	63%	66%	80%	78%
PERCENTAGE OF MATTERS CLOSED WITHIN 180 DAYS	73%	76%	81%	76%	80%	87%	88%

*Average time for disposition is calculated by averaging length of time it took to process a case and calculates the time for each case when matters are completed.

APPENDIX 6

AVERAGE MATTER PROCESSING TIME

Fiscal Years 2000 – 2009

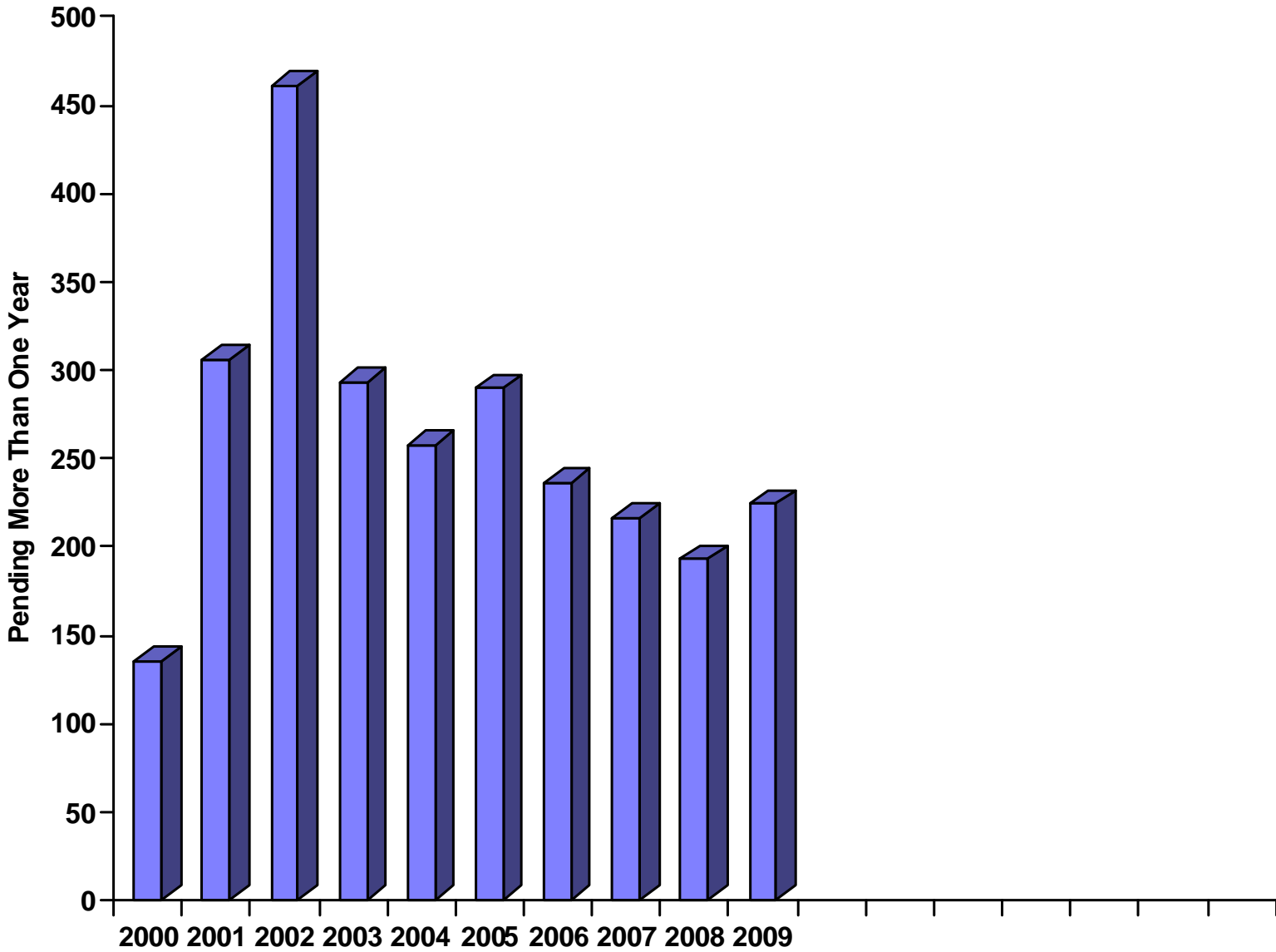


APPENDIX 7

GRIEVANCES PENDING MORE THAN ONE YEAR

Fiscal Years 2000-2009

APPENDIX 8A



SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2008-2009

Categorized by Allegation

ALLEGATIONS	PERCENTAGE OF TOTAL ALLEGATIONS
Conflict of Interest	5.36%
Criminal Conduct	2.03%
Failure to Return Property	2.31%
Frivolous Action	1.80%
IFOR	2.22%
Improper Advertising	0.32%
Improper Advocacy	13.21%
Improper Communications	2.31%
Improper Termination	1.66%
Incompetence	2.31%
Lack of Communication	7.90%
Lack of Diligence	30.48%
Medical Incapacity	0.14%
Misrepresentation/Dishonesty	9.19%
Reciprocal Discipline	0.32%
Revealing Confidences	1.20%
Scope of Representation	2.17%
Statutory Violation	1.02%
Supervise Subordinates	.92%
Trust Account Violations	3.88%
Unauthorized Practice	.88%
Unreasonable Fees	4.62%
Violation of Decision	0.60%
Violation of Oath	1.71%
Other	1.44%

APPENDIX 8B

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2008-2009

Categorized by Area of Practice

AREA OF PRACTICE	PERCENTAGE OF TOTAL AREA OF PRACTICE
Administrative & Government Law	2.12%
Bankruptcy-Receivership	4.71%
Collections, Garnishments	2.73%
Contracts, Commercial, Consumer Law	1.43%
Corporate-Banking	1.06%
Criminal Law	29.65%
Environmental	0.05%
Estate-Probate, Guardianship & Wills	8.22%
Family Law & Juvenile	22.03%
Immigration & Naturalization	0.83%
Insurance	0.09%
Labor, Unemployment Compensation	0.79%
Landlord-Tenant	0.79%
Litigation	4.71%
Patent/Trademark	0.55%
Real Property	4.30%
Taxation	0.18%
Torts/Civil Rights	8.08%
Workers Compensation, Soc. Security	2.86%
Not Available/Other	4.82%

APPENDIX 8C

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2008 - 2009

Categorized by Source of Grievance

SOURCE OF GRIEVANCE	PERCENTAGE OF TOTAL SOURCE OF GRIEVANCE
Adverse Party	18.70%
Attorney	3.09%
Client	54.71%
Guardian ad Litem	3.83%
Judge	0.46%
OLR Staff	5.17%
Other Party	13.07%
No Source Listed	.97%

APPENDIX 9

PUBLICLY DISCIPLINED LAWYERS

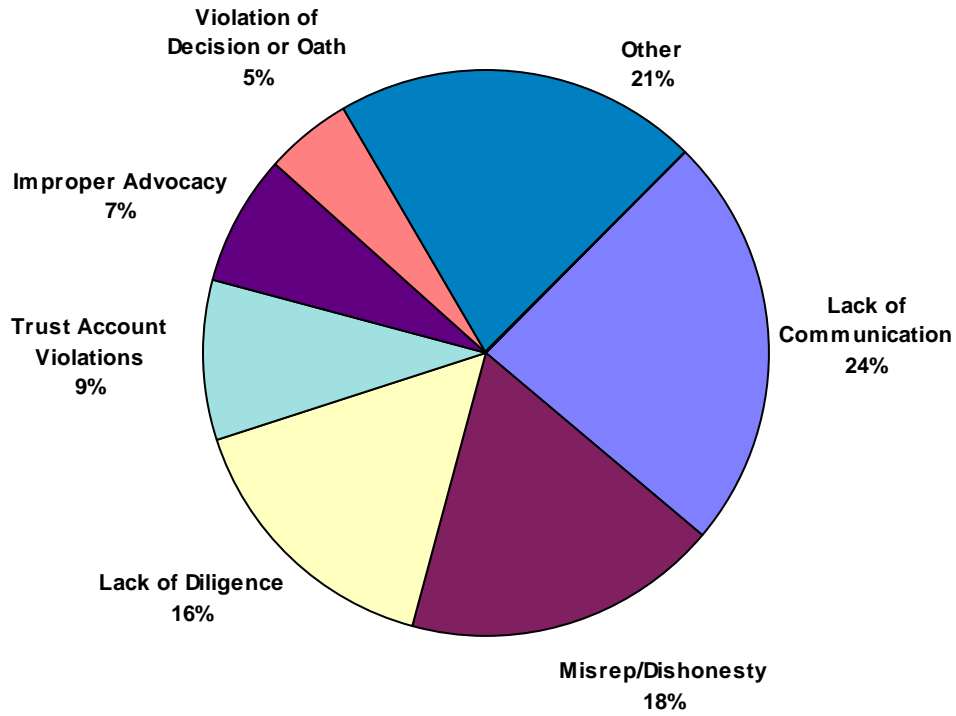
AS A PERCENTAGE OF TOTAL LAWYER POPULATION

YEAR	NUMBER OF LAWYERS PUBLICLY DISCIPLINED	STATE BAR MEMBERSHIP	PERCENTAGE OF LAWYERS PUBLICLY DISCIPLINED
2008-09	40	23,425	0.2
2007-08	38	23,013	0.2
2006-07	58	22,637	0.3
2005-06	62	22,225	0.3
2004-05	44	21,837	0.2
2003-04	66	21,518	0.3
2002-03	46	21,112	0.2
2001-02	20	20,772	0.1
2000-01	37	20,551	0.2
1999-00	24	20,167	0.1
1998-99	34	19,984	0.2
1997-98	37	19,581	0.2
1996-97	28	19,301	0.1
1995-96	33	18,938	0.2
1994-95	47	18,558	0.3
1993-94	55	17,974	0.3
1992-93	69	17,648	0.4
1991-92	50	17,407	0.3
1990-91	45	16,334	0.3
1989-90	33	15,876	0.2
1988-89	38	15,451	0.2
1987-88	39	14,942	0.3
1986-87	32	14,533	0.2
1985-86	45	14,312	0.3
1984-85	38	14,096	0.3
1983-84	45	13,536	0.3
1982-83	36	13,300	0.3
1981-82	28	12,700	0.2
1980-81	20	12,300	0.2
1979-80	16	11,900	0.1
1978-79	11	11,600	0.1

APPENDIX 10

**VIOLATIONS FOR WHICH MISCONDUCT WAS FOUND IN
PUBLIC DISCIPLINE DECISIONS**

Fiscal Year 2008-2009



OTHER

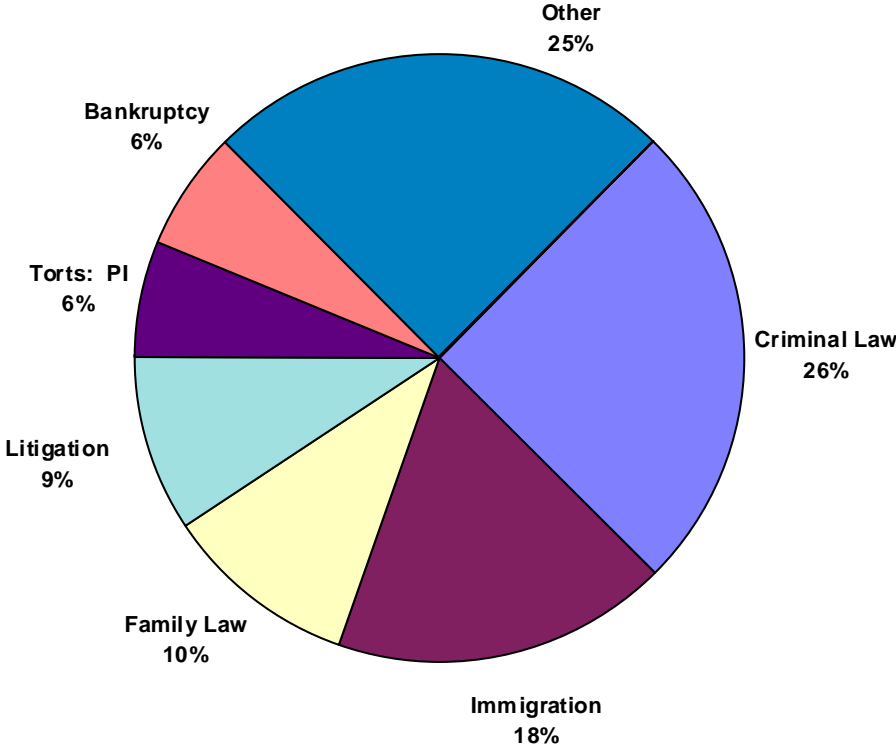
**Conflict of Interest
Failure to Return Property
Improper Advertising
Reciprocal Discipline
Representation
Super/Sub Responsibility**

**Criminal Conduct
Frivolous Actions
Incompetence
Scope of**

Unreasonable Fees

APPENDIX 11

**AREAS OF PRACTICE IN WHICH MISCONDUCT WAS
FOUND IN PUBLIC DISCIPLINE DECISIONS
Fiscal Year 2008-2009**



OTHER

**Administration/Government
Estate-Probate
Patent, Trademark**

**Contracts/Consumer
Insurance**

APPENDIX 12
OFFICE OF LAWYER REGULATION
2008 - 2009
OUTREACH EFFORTS

DATE	PRESENTER	EVENT
August 8, 2008	St. Ores	Newer Bar Counsel support, NOBC
August 8, 2008	Estes	Hot Tips Panel Presentation, NOBC
August 14, 2008	Sellen	Oconto Co. Bar Association
September 11, 2008	Sellen	National Client Protection Organization
September 11, 2008	Weigel	Interaction Between Disc.Agencies/Client Prot/Fee Arb
September 12, 2008	Sellen	National Client Protection Organization
September 12, 2008	Weigel	Working with Fed. Immigration Agencies
September 23, 2008	Sellen	Dane Co. Bar Association
September 25, 2008	Weigel	Representing Public Defenders in OLR Matters
October 3, 2008	Sellen	Ashland Co. Bar Association
October 8, 2008	Sellen	Legal Ethics 2008
October 10, 2008	Sellen	Legal Ethics 2008
October 14, 2008	Sellen	Presentation to UW Law School
October 16, 2008	Sellen	Lincoln Co. Bar Association
October 18, 2008	Weigel	ABA Standing Committee on Professionalism (Chicago)
October 23, 2008	Weigel	Improving Accountability in Courts
October 24, 2008	Weigel	Courtroom/Personal Security
October 27, 2008	Sellen	Presentation at UW Law School
November 4, 2008	Estes	Legal Action of WI Vol. Lawyers Project Training
November 7, 2008	Sellen	Lorman Ethics Seminar
November 7, 2008	Weigel	Ethics for State Prosecutors
November 11, 2008	Estes	Waukesha Co. Bar Association
November 12, 2008	Sellen	Telephonic Presentation to Army lawyers in Atlanta, GA
November 21, 2008	Sellen	Madison Chapter of Paralegal Association of WI
December 1, 2008	Weigel	Preparing Lawyers for Life (Milwaukee)
December 8, 2008	Sellen	Teleseminar for State Bar on Trust Account Rule
December 10, 2008	Weigel	Preparing Lawyers for Life (Madison)
December 11, 2008	Weigel	Wisconsin Hispanic Lawyer Assn (Milwaukee)
December 11, 2008	Sellen	Corporate Practice Institute (Milwaukee)
December 11, 2008	Estes	Milwaukee Co. Bar Association
December 16, 2008	Sellen	Winnebago Co. Bar Association
February 10, 2009	Weigel	National Organization of Bar Counsel Board Meeting
February 14, 2009	Weigel	American Bar Assn Standing Comm on Professionalism
February 14, 2009	Weigel	ABA/SOC Joint Committee on Ethics Meeting
March 10, 2009	Sellen	Regulation System Components Meeting
	O'Connell	
	Weigel	
	Estes	
March 13, 2009	O'Connell	Madison Horizons Rotary Club
April, 2009	Smith	Spring Trust Account Seminar
May 6, 2009	Sellen	Annual District Committee Chairpersons Meeting
May 6, 2009	O'Connell	New District Committee Member Training
May 7, 2009	Sellen	Small/Solo State Bar Section in Milwaukee
May 8, 2009	Weigel	Annual Referee, Counsel Meeting
May 28, 2009	Sellen	Brown Co. Bar Association
June 2, 2009	Sellen	Ripon Kiwanis Presentation
June 10, 2009	Sellen	Merrill Optimist Club Presentation
June 18, 2009	Weigel	Fond du Lac Co. Bar Association