

SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 04-01

In the matter of the Petition for Amendment to Rule 22.08, Supreme Court Rules relating to the Lawyer Regulation System

FILED

MAY 14, 2004

Cornelia G. Clark
Clerk of Supreme Court
Madison, WI

On April 21, 2004, the court held a public hearing on the petition filed January 14, 2004, by the Office of Lawyer Regulation, seeking to amend Supreme Court Rule 22.08 relating to procedures for the lawyer regulation system. At the ensuing open administrative conference the court unanimously adopted the petition.

IT IS ORDERED that, effective January 1, 2005, Supreme Court Rule Chapter 22 is amended as follows:

Section 1. 22.08(1)(a) of the supreme court rules is amended to read:

22.08 (1)(a) If the preliminary review panel determines that the director has not established cause to proceed in the matter, the director may dismiss the matter, which is a final decision, or the director may continue the investigation and

resubmit the matter to ~~the same~~ a different panel within a reasonable time after the first panel's determination. The director shall notify the respondent and the grievant of the decision to dismiss the matter or continue the investigation.

Section 2. 22.08(1)(b) of the supreme court rules is amended to read:

22.08(1)(b) Following resubmission, if the panel determines that the director has failed to establish cause to proceed, it shall report the determination to the chairperson of the preliminary review committee, who shall dismiss the matter and notify in writing the director, the respondent, and the grievant of the dismissal. A decision of the panel on resubmission that the director has failed to establish cause to proceed is final, and there is no review of that decision.

Section 3. SCR 22.08(1)(c) of the supreme court rules is repealed.

Section 4. SCR 22.08(2) of the supreme court rules is amended to read:

22.08(2)(intro.) If the preliminary review panel or the panel on resubmission determines that the director has established cause to proceed in the matter, the director shall decide on the appropriate discipline or other disposition to seek in the matter and may do any of the following:

IT IS ORDERED that notice of this amendment of SCR 22.08 be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 14th day of May, 2004.

BY THE COURT:

Cornelia G. Clark
Clerk of Supreme Court

