



2015 ASSEMBLY BILL 789

January 22, 2016 – Introduced by Representatives MACCO, ROHRKASTE, HESSELBEIN, BERNIER, NOVAK, KATSMA, TITTL, CZAJA, SKOWRONSKI, BROSTOFF, MEYERS, KOLSTE, JAGLER, PETRYK, SWEARINGEN, KLEEFISCH, STEINEKE, QUINN, KITCHENS, KAHL, A. OTT, RIPP, ZEPNICK, SPIROS, SUBECK, E. BROOKS, MURPHY, SARGENT, KULP, BALLWEG, NYGREN, OHNSTAD, JOHNSON, JARCHOW, SINICKI and BORN, cosponsored by Senators COWLES, OLSEN, CARPENTER, HANSEN and C. LARSON. Referred to Committee on Mental Health Reform.

1 **AN ACT** *to create* 751.158 of the statutes; **relating to:** continuing legal and
2 judicial education on elder law–related issues.

Analysis by the Legislative Reference Bureau

The bill requests the Wisconsin Supreme Court to promulgate rules requiring an attorney whose practice involves elder law or trusts and estates law to complete certain continuing legal education requirements each reporting period. The bill also requests the court to promulgate rules requiring justices and judges to complete, during each reporting period, certain judicial education requirements relating to elder law and trusts and estates law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 751.158 of the statutes is created to read:
4 **751.158 Rules regarding the practice of law; special requirements for**
5 **elder law and trusts and estates practice.** (1) The supreme court is requested
6 to promulgate rules that require each attorney whose practice involves elder law or
7 trusts or estates law to complete, each reporting period, continuing legal education

ASSEMBLY BILL 789

1 relating to elder law and trusts and estates practice, including, as determined by the
2 board of bar examiners, identification of financial exploitation and isolation of
3 vulnerable adults and ethical representation of older adults, including methodology
4 and standards for reasonable diligence in pursuing a client’s best interest.

5 (2) The supreme court is requested to promulgate rules that require each
6 justice and judge to complete, each reporting period, judicial education relating to
7 elder law and trusts and estates law, including, as determined by the office of judicial
8 education, identification of financial exploitation, isolation of vulnerable adults, and
9 ethical issues in cases involving representation of older adults, including
10 methodology and standards for reasonable diligence in pursuing a client’s best
11 interest.

12 (END)