

No. 440, S.]

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**CHAPTER 145**

AN ACT to amend 256.28 (10) ; and to create 256.28 (8a) of the statutes, relating to the county bar association and issuing subpoenas.

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

SECTION 1. 256.28 (8a) of the statutes is created to read :

256.28 (8a) SUPREME COURT TO ORDER SUBPOENAS. In order to aid the investigation required in sub. (8), the president of any county bar association therein described, after authority by resolution of its governing body, may file a verified petition with the supreme court of this state, the petition alleging that the bar association is conducting an investigation pursuant to sub. (8) and that the governing body of the bar association has, by resolution, authorized the president to request the issuance of subpoenas for various persons to be designated by the president. The supreme court shall thereupon enter an order directing any court commissioner of the state with whom a copy of the order may be filed to issue his subpoena for such persons as the president shall designate; and in the order the

supreme court shall likewise appoint an attorney pursuant to sub. (10) to conduct the proceedings before such court commissioner. Upon the filing of a copy of the order with a court commissioner it shall be the duty of the court commissioner to issue his subpoenas for such persons as the president of the bar association may designate and shall require such persons to appear before such court commissioner at a time and place to be fixed in the subpoena. The persons subpoenaed shall be sworn and shall testify, and the testimony may be taken by a stenographic reporter, but need not be so taken, and if transcribed by a reporter shall be read to or by the witness and subscribed by him, unless the witness shall stipulate upon the record that the reading of the transcript of such testimony to or by the witness and his signature thereto are waived, and that the transcript may be used with like force and effect as if read and subscribed by him. The attendance of the witness under the subpoena may be compelled by any circuit court, and the attendance for the purpose of reading and subscribing the transcript may be compelled in the same manner that his attendance to be examined may be compelled. Upon conclusion of the proceedings which shall not be public, the record thereof shall be transmitted to the governing body of the local bar association. The commissioner shall be entitled to the fees provided in s. 252.17. All fees, costs and expenses incident to the inquiry shall be paid by the county bar association requesting the same.

SECTION 2. 256.28 (10) of the statutes is amended to read:

256.28 (10) The supreme court as occasion may require shall appoint a competent attorney who is a member of the bar of the supreme court to act as counsel for the state bar commissioners or for the parties making the complaint, *or for any party authorized by statute to investigate the conduct of any attorney*, and to conduct investigations and prosecute disbarment proceedings. The district attorney of the county of the defendant's residence shall in his county render such assistance in investigations and preparation for trial as such counsel shall reasonably request.

Approved May 25, 1955.

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