

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. 12-10

**In the matter of amendment to Supreme Court
Rule 22.24 Relating to Costs Assessments in the
Lawyer Regulation System.**

FILED**JAN 23, 2013**

Diane M. Fremgen
Clerk of Supreme Court
Madison, WI

On September 11, 2012, the Office of Lawyer Regulation (OLR), by its director, Keith Sellen, filed this rule petition seeking amendment to Supreme Court Rule (SCR) 22.24 relating to the costs assessments in the lawyer regulation system. The proposed amendment to SCR 22.24 pertains to the timing of the filing of the OLR's supplemental statement of costs in OLR appeals. The amendment eliminates delay in appeals considered on briefs without oral argument and alters the OLR's response time from 14 days to 20 days for consistency with other deadlines, including the deadline for submitting the initial costs statement.

The court discussed this petition at its open rules conference on September 27, 2012, and voted unanimously to solicit public comment on the petition and schedule the matter for further discussion at a future open rules conference. Public comment, including input from supreme court referees, was solicited on

October 17, 2012. Referee John Nicholas Schweitzer filed a letter dated November 6, 2012, supporting the petition.

The court discussed the matter again at its November 30, 2012 open rules conference. The court confirmed that the rule change will apply to currently pending OLR matters in which no supplemental statement of costs has yet been filed. The court then voted unanimously to adopt the petition. Therefore,

IT IS ORDERED that effective the date of this order, the second sentence of 22.24 (2) of the Supreme Court Rules is amended to read as follows:

If an appeal of the referee's report is filed or the supreme court orders briefs to be filed in response to the referee's report, a supplemental statement of costs and recommendation regarding the assessment of costs shall be filed within 14 20 days after the appeal is assigned for submission to the court or the briefs ordered by the court are filed of the date of oral argument or, if no oral argument is held, the filing date of the last brief on appeal.

IT IS FURTHER ORDERED that the rule change will apply to pending OLR matters in which no supplemental statement of costs has yet been filed.

IT IS FURTHER ORDERED that notice of this amendment of SCR 22.24 be given by a single publication of a copy of this order in the official publications designated in SCR 80.01, including the official publishers' online databases, and on the Wisconsin court system's web site. The State Bar of Wisconsin shall provide notice of this order.

Dated at Madison, Wisconsin, this 23rd day of January, 2013.

BY THE COURT:

Diane M. Fremgen
Clerk of Supreme Court

