
**12/76 B Partner of court commissioner
appearing before the court commissioner**

There is no opinion addressing the question whether it is ethically proper for an attorney who is the partner of a court commissioner to appear before that commissioner in a supplementary examination.

DR 9-101(A) prohibits a lawyer from accepting employment in a matter, the merits of which s/he acted upon in a judicial capacity, and any time a lawyer is prohibited from some conduct, his/her partner is similarly prohibited. Two Wisconsin statutes also relate to this question. Sec. 256.22(3) prohibits a practicing attorney from having his/her office in the same room with a court commissioner unless they are partners, in which case the attorney may not practice before the court commissioner. Sec. 256.23 prohibits a court commissioner or judge from participating in any matter in which his/her law partner or any other person connected with him/her is involved.