



DATE: September 30, 2013
TO: Karle Lester
FROM: Jacquelynn B. Rothstein
SUBJECT: Order Regarding Revisions to SCR Chapter 31 Appendix

ORDER

Supreme Court Rule 31.14 provides the Board of Bar Examiners with rule-making authority for Chapter 31 of the Wisconsin Supreme Court Rules. The Board of Bar Examiners, after appropriate notice, conducted a public hearing on September 20, 2013, regarding proposed revisions to SCR Chapter 31 Appendix. Now, therefore, it is hereby ordered that the Appendix to Chapter 31 of the Supreme Court Rules is repealed and recreated as follows:

SCR CHAPTER 31 APPENDIX:

CLE 7.06 is repealed and recreated to read:

- (1) A published legal writing is defined as material that satisfies all of the following criteria:
- ~~(a) It is in printed form as a book, a supplement or a pocket part to a book, or an article in a publication that is included in the *Index to Legal Periodicals*. For the purposes of this definition, systems manuals that are developed and offered for sale are deemed to be books;~~
 - ~~(b) It is commercially available or distributed to at least 500 lawyers; and~~
 - ~~(c) It satisfies the criteria set forth in SCR 31.07(2)(a) and (b) in that its objective is to increase the reader's professional competence as a lawyer, and in that its content must deal primarily with matters related to the practice of law, professional responsibility or ethical obligations of lawyers.~~
- (2) Published legal writings specifically exclude the following:
- ~~(a) Compilations of materials written by others;~~
 - ~~(b) Contributions to newsletters;~~
 - ~~(c) Written materials that are developed and distributed at CLE activities in accordance with SCR 31.07(2)(e).~~

CLE 7.06

(1) A published legal writing is defined as material that satisfies all of the following criteria:

(a) It has been published, in print or electronically, in the form of an article, chapter, book, or significant revision;

(b) It was written in whole or in substantial part by the lawyer submitting the request for approval; and

(c) It satisfies the criteria set forth in SCR 31.07(2) (a) and (b) in that its objective is to increase the reader's professional competence as a lawyer, and in that its content must deal primarily with matters related to the practice of law, professional responsibility or ethical obligations of lawyers.

(2) Published legal writings specifically exclude the following:

(a) Compiling or editing materials written by others;

(b) Contributions to blogs or brief current-awareness entries in newsletters or magazines;

(c) Material that is produced on behalf of or in support of a client, including submissions to a court of law or to an administrative agency;

(d) Authorship of published decisions;

(e) Material appearing in any media, whether print or electronic the published content of which is controlled by the applicant or by the applicant's firm or employer or that is published by the applicant;

(f) Material appearing in a publication for general circulation or in a publication directed to a non-lawyer audience; and

(g) Materials that are developed and distributed at CLE activities in accordance with SCR 31.07(2) (e).

These rules shall become effective September 20, 2013.