

SUPREME COURT OF WISCONSIN

Office of Lawyer Regulation v. Carson

361 Wis. 2d 323 (2015) · No. 2014AP2732-D · Decided March 10, 2015

SUMMARY

The Wisconsin Supreme Court approved a stipulation between the Office of Lawyer Regulation and Christopher S. Carson concerning eight counts of professional misconduct involving four clients. The court suspended Carson's Wisconsin law license for 90 days, effective April 9, 2015, and imposed no costs because the matter was resolved by stipulation without appointment of a referee.

CASE DETAILS

COURT	Supreme Court of Wisconsin
JURISDICTION	Wisconsin
DECIDED	March 10, 2015
DOCKET	2014AP2732-D
DISPOSITION	other
PROCEDURAL POSTURE	The Wisconsin Supreme Court reviewed a stipulated attorney-discipline proceeding submitted by the Office of Lawyer Regulation and Christopher S. Carson under SCR 22.12, without appointment of a referee.
STANDARD OF REVIEW	The court stated that it reviewed the stipulation after careful consideration; no separate standard of review was articulated.
PRECEDENTIAL VALUE	Published Wisconsin Supreme Court opinion; precedential, though primarily applying disciplinary rules to a stipulated record.

TOPICS

administrative law agency adjudication appellate procedure standard of review

PRACTICE AREAS

attorney discipline professional responsibility legal ethics administrative law appellate procedure

QUESTIONS PRESENTED

1. Whether the court should approve the parties' stipulation admitting eight counts of professional misconduct.

2. Whether a 90-day suspension of Carson's Wisconsin law license was an appropriate sanction.
3. Whether costs should be imposed when the disciplinary matter was resolved by stipulation without appointment of a referee.

HOLDINGS

1. The court approved the stipulation and adopted the stipulated facts and legal conclusions establishing eight counts of professional misconduct.
2. A 90-day suspension of Carson's license to practice law in Wisconsin was an appropriate sanction for the stipulated misconduct.
3. The court imposed no costs on Carson because the comprehensive stipulation obviated the need for appointment of a referee and a full disciplinary proceeding.

KEY QUOTATIONS

“Upon careful consideration of this matter, we approve the stipulation and adopt the stipulated facts and legal conclusions of professional misconduct.” (¶ 34)

“IT IS ORDERED that the license of Christopher S. Carson to practice law in Wisconsin is suspended for a period of 90 days, effective April 9, 2015.” (¶ 35)

FACTUAL BACKGROUND

Carson's stipulated misconduct involved four client matters. The misconduct included an improper sexual relationship with a current criminal-defense client, assisting conduct contrary to a client's bail conditions, misrepresentations during an OLR investigation, incompetent handling of prison-visitation and habeas matters, and violations concerning advanced fees, fee accounting, and termination of representation. Carson had also received a private reprimand in 2008 and a public reprimand in 2009.

PROCEDURAL HISTORY

The Office of Lawyer Regulation filed a complaint alleging eight counts of professional misconduct involving four clients. The parties simultaneously filed a comprehensive stipulation admitting the allegations and agreeing that a 90-day license suspension was appropriate. The supreme court approved the stipulation, adopted the stipulated facts and legal conclusions, suspended Carson's license for 90 days, and imposed no costs because the matter was resolved without a referee.

DISPOSITION

other