

SUPREME COURT OF WISCONSIN

Office of Lawyer Regulation v. Daynel L. Hooker

354 Wis. 2d 651 (2014) · No. 2014AP28-D · Decided June 19, 2014

SUMMARY

The Wisconsin Supreme Court grants Daynel L. Hooker's petition for consensual revocation of her Wisconsin law license under SCR 22.19. The court finds a widespread pattern of serious professional misconduct, denies her request for retroactive revocation, orders restitution totaling \$12,430 to five former clients, and imposes no costs.

CASE DETAILS

COURT	Supreme Court of Wisconsin
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Wisconsin
DECIDED	June 19, 2014
DOCKET	2014AP28-D
DISPOSITION	other
PROCEDURAL POSTURE	Attorney disciplinary proceeding on the respondent attorney's petition for consensual revocation of her Wisconsin license to practice law.
STANDARD OF REVIEW	The court reviewed the petition, the OLR's completed but unfiled disciplinary complaint, and the Colorado disciplinary decision to determine whether consensual license revocation should be granted under SCR 22.19.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Office of Lawyer Regulation v. Daynel L. Hooker

TOPICS

[administrative law](#)[remedies](#)[restitution](#)

PRACTICE AREAS

[attorney discipline](#)[professional responsibility](#)[administrative law](#)[legal ethics](#)[remedies](#)

QUESTIONS PRESENTED

1. Whether Hooker's petition for consensual revocation of her Wisconsin law license should be granted under SCR 22.19.
2. Whether the revocation should be made retroactive to a date in March 2012.
3. Whether Hooker should be ordered to pay restitution to five former clients.
4. Whether costs should be imposed.

HOLDINGS

1. The petition for consensual revocation should be granted because Hooker acknowledged that she could not successfully defend against the alleged misconduct, and the record demonstrated a widespread pattern of serious professional misconduct that harmed clients and showed that she was unwilling or unable to conform her conduct to Wisconsin's professional standards.
2. The revocation was properly made effective on the date of the court's order rather than retroactively to March 2012.
3. Hooker was required to pay restitution totaling \$12,430 to five former clients in the amounts agreed to by her and requested by the OLR.
4. No costs were imposed because the OLR did not seek costs.

KEY QUOTATIONS

“It is clear from the descriptions of the various representations that Attorney Hooker has engaged in a widespread pattern of serious professional misconduct that has harmed her clients.” (§11)

“Customarily, the effective date of a license revocation to be imposed for a lawyer's misconduct is the date of this court's order imposing the revocation.” (§13)

FACTUAL BACKGROUND

Hooker was admitted to practice law in Wisconsin in 2001 and primarily practiced in Colorado, although she was not licensed there. She had previously received two six-month reciprocal suspensions in Wisconsin based on Colorado discipline, and her Wisconsin license was administratively suspended. The OLR's unfiled complaint alleged 35 counts of misconduct involving seven client matters, while a Colorado Supreme Court decision disbarred her for misconduct involving eight client matters. Hooker agreed that she could not successfully defend against the allegations and agreed to specified restitution payments.

PROCEDURAL HISTORY

Daynel L. Hooker petitioned the Wisconsin Supreme Court for consensual revocation under SCR 22.19. The petition acknowledged that she could not successfully defend against seven OLR grievance investigations involving 35 alleged counts of misconduct and against misconduct described in a Colorado Supreme Court decision disbarring her. The OLR supported the petition and requested restitution; the Wisconsin Supreme Court granted revocation, denied Hooker's request for retroactive effectiveness, ordered restitution, and required compliance with SCR 22.26.

DISPOSITION

other

CASES CITED

- In re Disciplinary Proceedings Against Hooker, 2010 WI 13, 322 Wis. 2d 552, 779 N.W.2d 419
- In re Disciplinary Proceedings Against Hooker, 2012 WI 100, 343 Wis. 2d 397, 816 N.W.2d 310
- October 18, 2013 Opinion and Decision of the Colorado Supreme Court

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