

SUPREME COURT OF WISCONSIN

In the Matter of Disciplinary Proceedings Against Boris Ouchakof

257 Wis. 2d 1, 653 N.W.2d 108 (2002) · No. 02-0875-D · Decided November 15, 2002

SUMMARY

The Wisconsin Supreme Court granted Boris Ouchakof's petition for consensual revocation of his law license. The court found revocation warranted based on 41 alleged counts of professional misconduct, 12 additional counts under investigation, and Ouchakof's acknowledgment that he could not successfully defend against the allegations. The court also ordered him to pay \$3,246.72 in proceeding costs and comply with the duties applicable to revoked attorneys.

CASE DETAILS

COURT	Supreme Court of Wisconsin
JURISDICTION	Wisconsin
DECIDED	November 15, 2002
DOCKET	02-0875-D
DISPOSITION	other
PROCEDURAL POSTURE	The Wisconsin Supreme Court reviewed Attorney Boris Ouchakof's petition under current SCR 22.19 for consensual revocation of his Wisconsin law license before a disciplinary hearing occurred.
STANDARD OF REVIEW	The Supreme Court independently reviewed the petition for consensual license revocation and the supporting OLR and referee reports.
PRECEDENTIAL VALUE	published precedential Wisconsin Supreme Court disciplinary decision
PARTIES	Office of Lawyer Regulation v. Boris Ouchakof

TOPICS

administrative law immigration asylum visa petitions

PRACTICE AREAS

legal ethics attorney discipline professional responsibility immigration law

QUESTIONS PRESENTED

1. Whether the court should grant Ouchakof's petition for consensual revocation of his Wisconsin law license under SCR 22.19.
2. Whether the seriousness and breadth of the admitted allegations warranted revocation as the maximum available discipline.
3. Whether Ouchakof should be ordered to pay the costs of the disciplinary proceeding and comply with the post-revocation duties in SCR 22.26.

HOLDINGS

1. Consensual revocation of Ouchakof's Wisconsin law license was warranted because he acknowledged that he could not successfully defend against the 41 charged counts and the 12 additional counts under investigation, and the allegations were serious and wide-ranging.
2. Ouchakof was required to pay \$3,246.72 in costs to the Office of Lawyer Regulation within 60 days of the order.
3. Ouchakof was required to comply with SCR 22.26 concerning the duties of a person whose Wisconsin law license has been revoked.

KEY QUOTATIONS

“Given the severity of the 41 counts of misconduct alleged against Ouchakof in the OLR complaint, plus the additional 12 counts of misconduct currently being investigated by the OLR based on 4 separate clients' grievances filed against Ouchakof, which Ouchakof also acknowledges he cannot successfully defend against, we conclude revocation of Ouchakof's license to practice law in this state is fully warranted and we so order.” (257 Wis. 2d at 2-3)

“These are serious and wide-ranging allegations of professional misconduct that Ouchakof now acknowledges he cannot successfully defend against. The OLR has filed a statement in support of this petition and the referee has recommended that this court impose the maximum discipline available.” (257 Wis. 2d at 6-7)

FACTUAL BACKGROUND

Ouchakof was admitted to practice law in Wisconsin in 1989 and had practiced in Madison. His license had been suspended since June 5, 2000, for noncompliance with continuing legal education requirements. The OLR complaint alleged 41 counts of misconduct involving dishonesty, lack of diligence and communication, fee and trust-account issues, conduct during suspension, and failures to cooperate with the disciplinary investigation, including misconduct in immigration, asylum, visa, and work-permit matters. Four additional client grievances were under investigation, involving 12 more alleged counts.

PROCEDURAL HISTORY

The Office of Lawyer Regulation filed a complaint charging Ouchakof with 41 counts of professional misconduct. After Ouchakof answered, Steven J. Caulum was appointed referee, and the OLR began investigating four additional client grievances involving 12 additional alleged counts. Before a referee hearing,

Ouchakof petitioned for consensual revocation, acknowledging that he could not successfully defend against the allegations; the OLR supported the petition and the referee recommended the maximum discipline.

DISPOSITION

other

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