

These summaries are provided by the Office of Lawyer Regulation (OLR), an agency of the Wisconsin Supreme Court. The OLR assists the court in supervising the practice of law and protecting the public from misconduct by lawyers. The OLR has offices at 110 E. Main St., Suite 315, Madison, WI 53703; toll-free (877) 315-6941. The full text of items summarized is at www.wicourts.gov/olr.

Public Reprimand of Margery Mebane Tibbetts

The Office of Lawyer Regulation (OLR) and Margery Mebane Tibbetts (also known as Margery Wakefield), Janesville, entered into an agreement for imposition of a public reprimand, pursuant to SCR 22.09(1), regarding three separate matters. A Wisconsin Supreme Court-appointed referee approved the agreement and issued the public reprimand on Sept. 23, 2023, in accordance with SCR 22.09(3).

In the first matter, a woman hired Tibbetts to represent her in a divorce. By failing to complete the qualified domestic relations order process, which resulted in filing of a motion for contempt against the client, Tibbetts violated SCR 20:1.3. By failing to keep the client reasonably informed regarding the status of the case and by failing to respond to the client's text messages and calls requesting information, Tibbetts violated SCR 20:1.4(a)(3) and (4). By failing to timely provide a complete written response to the grievance, Tibbetts violated SCR 22.03(2) and 22.03(6), enforced via SCR 20:8.4(h).

In the second matter, a woman hired Tibbetts to represent her in a

divorce. Thereafter, Tibbetts filed a motion for withdrawal, which the circuit court granted. By failing to promptly deliver the case file to the client's successor counsel, Tibbetts violated SCR 20:1.16(d). By failing to provide the required accounting and fee-arbitration notices in writing to the client upon termination of the representation, Tibbetts violated SCR 20:1.5(g)(2). By misrepresenting to the OLR in a letter dated Aug. 12, 2020, that her office had never received a request for the case file from successor counsel, when in fact successor counsel sent via email and mail a letter (dated June 25, 2020) requesting the case file, Tibbetts violated SCR 22.03(6), enforced via SCR 20:8.4(h).

In the third matter, a man filed a summons and petition for divorce. The circuit court ordered the parties to participate in Family Court Services (FCS) mediation, which was initially scheduled for June 10, 2021. On or about June 7, 2021, the man's spouse (the client) hired Tibbetts to represent her as successor counsel in the divorce case. The mediation was rescheduled for July 9, 2021. On July 6, 2021, the client's father called Tibbetts and explained that the client would be physically unable to participate in the July 9, 2021, mediation. Tibbetts informed the father that she would secure a postponement.

Tibbetts later advised the father that she left a message with FCS requesting a postponement but received no response. Tibbetts did not follow up with FCS and did not advise either the client or the father that Tibbetts had not secured a postponement. On July 9, 2021, FCS called the client, but the mediation did not proceed. By failing to inform the client that she had not

received a response from FCS regarding her request for a postponement of the mediation, Tibbetts violated SCR 20:1.4(a)(3).

Tibbetts had no prior discipline.

Public Reprimand of Maria Judith Getoff

The OLR and Maria Judith Getoff, Irvington, Vir., entered into an agreement for imposition of a public reprimand, pursuant to SCR 22.09. A Wisconsin Supreme Court-appointed referee approved the agreement and issued the public reprimand on Oct. 16, 2023.

On May 22, 2018, Getoff's law license was administratively suspended because Getoff failed to comply with continuing legal education reporting requirements. On Oct. 31, 2018, Getoff was also administratively suspended for nonpayment of mandatory State Bar of Wisconsin dues and failure to file a trust account certification.

At the time, Getoff worked as a lawyer for a federal administrative agency. She stated that she had not learned of her administrative suspensions until approximately July 14, 2022, at which time she immediately contacted the Wisconsin Board of Bar Examiners and notified her employer. Getoff was immediately removed from all legal matters and only performed nonlegal work until her law license could be reinstated. She stated that her delay in learning of her administrative suspension was caused by logistical complications resulting from a change in her employer's mailing address and a major depressive disorder with which she was diagnosed in 2016.

Mitigating factors include Getoff's cooperation and transparency during the OLR's investigations, her notification to her employer immediately upon discovering her administrative suspension, and a general lack of client harm resulting from her unauthorized practice. Getoff also made substantial efforts to



address her depressive disorder before petitioning for reinstatement.

By practicing law during a period of administrative suspension from May 22, 2018, until approximately July 17, 2022, Getoff violated SCR 10.03(6), SCR 22.26(2), and SCR 31.10(1), all of which are enforceable via SCR 20:8.4(f).

Getoff had no prior discipline.

Public Reprimand of Sean W. O'Neill

The OLR and Sean W. O'Neill, La Crosse, entered into an agreement for imposition of a public reprimand pursuant to SCR 22.09(1). A Wisconsin Supreme Court-appointed referee thereafter approved the agreement and issued the public reprimand on Oct. 19, 2023, in accordance with SCR 22.09(3).

In June 2020, O'Neill filed for divorce from his wife. O'Neill was represented by an attorney (hereinafter opposing counsel) in his divorce case. In or around October 2020, a woman

(hereinafter the client) hired O'Neill to represent her in her divorce case. Opposing counsel represented O'Neill's client's husband in the client's divorce case.

O'Neill did not inform the client that opposing counsel was also representing O'Neill in O'Neill's divorce case. Despite opposing counsel representing O'Neill in O'Neill's divorce case, O'Neill continued representing the client in her divorce case, with opposing counsel representing the client's husband. O'Neill did not obtain the client's informed consent.

During a mediation in November 2021, O'Neill informed the client he was also getting a divorce. The client asked O'Neill who he hired as an attorney, and the client said that O'Neill "probably represents himself." O'Neill replied, "Pretty much." O'Neill stated this despite the fact that O'Neill did not represent himself in his divorce

and opposing counsel continued to represent O'Neill in the matter.

Thereafter, the client searched court records and learned that opposing counsel was representing O'Neill in his divorce. The client discharged O'Neill as her attorney.

By representing the client in her divorce case, even though opposing counsel in the client's divorce case was also representing O'Neill in his own personal divorce case, O'Neill violated SCR 20:1.7(a)(2).

In 2012, O'Neill was publicly reprimanded for unrelated professional misconduct. **WL**



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