

STATE OF WISCONSIN

IN SUPREME COURT

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST GENEVA E. McKINLEY,
ATTORNEY AT LAW.

CASE CODE 30912

OFFICE OF LAWYER REGULATION,
Complainant.

CASE NO. 2013AP 2695 -D

GENEVA E. McKINLEY,
Respondent.

RECEIVED

DEC 06 2013

COMPLAINT

CLERK OF SUPREME COURT
OF WISCONSIN

NOW COMES the Wisconsin Supreme Court – Office of Lawyer Regulation
("OLR"), by Retained Counsel, Ronald P. LeFever, and alleges as follows:

1. The OLR was established by the Wisconsin Supreme Court and operates pursuant to Supreme Court Rules. This complaint is filed pursuant to SCR 22.11.
2. Geneva E. McKinley ("McKinley") is an attorney admitted to the practice of law in Wisconsin on April 23, 1996, State Bar ID 1026599. The most recent address furnished by McKinley to the State Bar of Wisconsin is Milwaukee County Circuit Court, 901 N 9th Street - Suite 400, Milwaukee WI 53233-1425. However, McKinley no longer practices as a court commissioner officed at the Milwaukee County Courthouse. McKinley resides at and receives her mail at 3017 West McKinley Boulevard, Milwaukee, WI 53208.
3. On June 8, 2011 a criminal complaint was filed by the State of Wisconsin charging McKinley with two felony counts of Filing False and Fraudulent Income

Tax Returns in violation of Wis. Stats. §§71.83(2)(b)1 and 71.80(6m). *State v. Geneva E. McKinley*, Dane County Case No. 2011CF1003.

4. According to the criminal complaint, McKinley failed to list on her 2006 and 2007 income tax returns income she had received from her law practice and rental property. The criminal complaint further alleged that McKinley reported a combined total of \$19,391 in adjusted gross income on her state Form 1s for 2006 and 2007; that McKinley should have reported adjusted gross income of \$35,630 in 2006 and \$100,929 in 2007; and that the estimated benefit to McKinley in federal and state taxes as a result of her fraudulent filings was approximately \$32,813.

5. On May 13, 2013, an amended information was filed by the State of Wisconsin. The amended information charged McKinley with two misdemeanor counts of Filing a False Tax Document in violation of Wis. Stat. §71.83(2)(a)2.¹

6. On May 16, 2013, McKinley pled no contest to and was convicted of those two misdemeanors. That same day, she was sentenced on each count to 18 months of probation, to run concurrently and to be terminated after one year if McKinley undergoes eight sessions of grief counseling or individual counseling. As to the first count, she was also sentenced to five days in jail as a condition of probation. McKinley was also ordered to report her conviction to the appropriate professional authority, and obtain a mental health assessment, and abide by any treatment recommendations.

¹ **Wis. Stat. §71.83(2)(a)2 Penalties for certain false documents.** Any person who willfully makes and subscribes any return, claim, statement or other document required by this chapter that that person does not believe to be true and correct as to every material matter or who willfully aids in, procures, counsels or advises the preparation of any return, claim, statement or other document that is false or fraudulent as to any material matter related to, or required by, this chapter may be fined not more than \$10,000 or imprisoned for not more than 9 months or both, together with the cost of prosecution.

7. McKinley timely self-reported her conviction to the Office of Lawyer Regulation.


COUNT 1

8. By engaging in conduct leading to her conviction on two misdemeanor counts of Filing a False Tax Document in violation of Wis. Stat. §71.83(2)(a)2, **McKinley, in each instance, violated SCR 20:8.4(b).**²

WHEREFORE, the Office of Lawyer Regulation asks that Attorney Geneva E. McKinley be found in violation of Supreme Court Rules as alleged herein, that the Court suspend Attorney McKinley's license to practice law in Wisconsin for 60 days, and order such other and further relief as may be just and equitable, including an award of costs.

Dated this 5th day of December, 2013.

OFFICE OF LAWYER REGULATION



RONALD P. LEFEVER
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² **SCR 20:8.4(b) provides:** It is professional misconduct for a lawyer to: “commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer in other respects.”