

SUPREME COURT OF WISCONSIN

CASE No.: 19AP900-D

COMPLETE TITLE: In the Matter of Disciplinary Proceedings
Against Nicholas C. Kefalos, Attorney at Law:

Office of Lawyer Regulation,
Complainant,
v.
Nicholas C. Kefalos,
Respondent.

DISCIPLINARY PROCEEDINGS AGAINST KEFALOS

OPINION FILED: October 22, 2019

SUBMITTED ON BRIEFS:

ORAL ARGUMENT:

SOURCE OF APPEAL:

COURT:

COUNTY:

JUDGE:

JUSTICES:

CONCURRED:

DISSENTED:

NOT PARTICIPATING:

ATTORNEYS:

NOTICE

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 2019AP900-D

STATE OF WISCONSIN

:

IN SUPREME COURT

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FILED

OCT 22, 2019

Sheila T. Reiff
Clerk of Supreme Court

ATTORNEY disciplinary proceeding. *Attorney's license suspended.*

¶1 PER CURIAM. This is a reciprocal discipline matter. On May 14, 2019, the Office of Lawyer Regulation (OLR) filed a complaint and motion pursuant to Supreme Court Rule (SCR) 22.22, requesting this court suspend Attorney Nicholas C. Kefalos' license to practice law in Wisconsin for a period of six months, as discipline reciprocal to that imposed by the Supreme Court of Illinois. Upon review, we agree that it is appropriate to impose a six-month suspension, identical to that imposed by the Supreme Court of Illinois.

¶2 Attorney Kefalos was admitted to practice law in Wisconsin in 2000. He was admitted to practice law in Illinois in 1999. The most recent address furnished to the State Bar of Wisconsin is 27 North Wacker Drive, Chicago, Illinois. He has no previous disciplinary history in Wisconsin.

¶3 On April 4, 2018, the Administrator of the Illinois Attorney Registration and Disciplinary Commission (ARDC) filed a complaint for disciplinary action against Attorney Kefalos. Attorney Kefalos did not file an answer. As a result of his default, the allegations in ARDC's first amended complaint were deemed admitted. On November 29, 2018, and based on his default, a hearing panel found that Attorney Kefalos had committed the misconduct alleged in the first amended complaint. That misconduct included failure to act with reasonable diligence and promptness; failure to keep the client reasonably informed; failure to promptly comply with reasonable requests for information; failure to refund \$2,550 in unearned advanced fees; and failure to respond to lawful requests for information from the ARDC.

¶4 On March 19, 2019, the Supreme Court of Illinois suspended Attorney Kefalos' license to practice law in Illinois for six months and until further order of the court. Attorney Kefalos failed to notify the OLR of the suspension of his Illinois law license within 20 days of its effective date.

¶5 The OLR's complaint alleges that by virtue of the Illinois suspension, Attorney Kefalos is subject to reciprocal discipline in Wisconsin pursuant to SCR 22.22, and by failing to

notify the OLR of his suspension in Illinois, he violated SCR 22.22(1). The OLR asks this court to suspend Attorney Kefalos' Wisconsin law license for six months as discipline reciprocal to that imposed in Illinois.

¶6 The OLR's complaint and order to answer were sent to Attorney Kefalos at the most recent address he had provided to the State Bar of Wisconsin. In addition, the OLR attempted to serve Attorney Kefalos through a process server but despite diligent efforts, the process server was unable to locate Attorney Kefalos. Service of the complaint and order to answer was accomplished by the OLR sending via certified mail, an authenticated copy of the complaint and order to answer to Attorney Kefalos at the most recent address he had furnished to the State Bar of Wisconsin. See SCR 22.13(1).

¶7 On July 5, 2019, this court directed Attorney Kefalos to inform the court in writing within 20 days of any claim by him, predicated upon the grounds set forth in SCR 22.22(3), that the imposition of discipline reciprocal to that imposed in Illinois would be unwarranted, and of the factual basis for any such claim. No response was received.

¶8 Under SCR 22.22(3), in reciprocal discipline matters, this court shall impose the identical discipline unless one of the exceptions enumerated in that rule is shown. There is no indication that any of those exceptions apply in this case. Accordingly, we impose discipline substantially identical to that imposed by the Supreme Court of Illinois.

¶9 IT IS ORDERED that the license of Nicholas C. Kefalos to practice law in Wisconsin is suspended for a period of six months, effective December 3, 2019.

¶10 IT IS FURTHER ORDERED that Nicholas C. Kefalos shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been suspended.

¶11 IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement. See SCR 22.29(4)(c).

