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Law license isn't revoked

Court allows convicted former state senator George to seek reinstatement

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Madison - The state Supreme Court on Wednesday declined to revoke the law license of former state Sen. Gary R. George (D-Milwaukee), allowing the convicted felon instead to seek reinstatement from a 51-month suspension in June.

In its decision, the court said George was guilty of "extremely serious" misconduct. But, they added, "We are persuaded that his prospects for rehabilitation are real."

The decision was criticized by Thomas Basting Sr., president of the State Bar of Wisconsin, who argued on behalf of the Office of Lawyer Regulation that George's law license should have been permanently revoked - the harshest punishment possible.

"I still think a message needed to be sent" that conduct like George's justifies revoking a lawyer's license, Basting said later.

Efforts to reach George were not successful.

Richard Cayo, one of his lawyers, said he was pleased by the court's decision and hopes state regulators don't oppose the application he plans to file to be reinstated as a lawyer. George hopes he can be reinstated in a "reasonably prompt fashion," Cayo said.

George was convicted of a federal conspiracy charge after pleading guilty to one count of receiving monthly kickbacks of legal fees, according to the Supreme Court decision.

In addition, according to court records, George:

- Admitted using Senate aides to do on-the-job personal work for him,
- Obtained an off-the-books \$200,000 investment from a Milwaukee anti-poverty organization, the Opportunities Industrialization Center of Greater Milwaukee, in his family's TV station in the Virgin

Islands,

- Filed false annual state Ethics Board reports that omitted sources of income.

George, 54, was a powerful state senator for 23 years before he lost a recall election in November 2003. He served most of a four-year sentence before he was released from a federal prison in August. He was also ordered to pay \$568,596 in restitution.

He had argued that his license should not be revoked, saying his service in the Senate was a "mitigating factor," as was his efforts on behalf of the Wisconsin Special Olympics and other charities.

A referee for the Office of Lawyer Regulation had called for George to be disbarred.

The high court disagreed, saying: "Ultimately, we have concluded that while attorney George's misconduct was, indeed, extremely serious, it does not warrant the harshest penalty of revocation. We are influenced by the fact that this is the only disciplinary complaint filed against (him) since he was admitted to practice law in Wisconsin some 29 years ago. We are influenced by (his) public service to the citizens of Wisconsin."

After his conviction on federal charges, his law license was suspended on March 8, 2004. The 51-month suspension means he could apply to get his license back in June.

In its order, the court said the suspension of George's law license might be "the most lengthy suspension imposed by this court in an attorney disciplinary matter."

George was also ordered to pay \$14,074 in costs of the disciplinary action.

Basting said George's request to have his license reinstated would have to be considered by the Supreme Court - a process that can take a year or longer.

Five of the seven justices opted for the suspension over a revocation. Two justices - Justice David T. Prosser and Justice Louis Butler - did not participate in the court's decision. They gave no reason for their recusals, though Prosser served in the Legislature with George.

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