

IN RE: OFFICE OF LAWYER REGULATION  
COMPLAINT AGAINST STEPHANIE G. RAPKIN  
STATE OF WISCONSIN BAR NO.: 1016865

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OFFICE OF LAWYER REGULATION COMPLAINT AGAINST  
STEPHANIE G. RAPKIN

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Pursuant to Supreme Court Rule 20:8.3(a)<sup>1</sup> the undersigned makes the following  
Complaint:

1. Complainant, Michael S. Maistelman, is an attorney duly licensed to practice law in the state of Wisconsin.
2. Complainant is a member in good standing of the State Bar of Wisconsin, whose offices are located at 8989 N. Port Washington Rd, Suite 207, Milwaukee, Wisconsin 53217.
3. Upon information and belief, Respondent, Stephanie G. Rapkin (“Respondent”) is an attorney licensed to practice law in the state of Wisconsin.
4. Upon information and belief Respondent’s state, bar number is 1016865, and her offices are located at 1001 W. Glen Oaks Lane, Suite 233, Mequon, Wisconsin 53092.
5. Upon information and belief, Respondent was admitted to the Wisconsin Bar on or about September 13, 1982.
6. As a member of State Bar of Wisconsin, Respondent must comply with the Wisconsin Supreme Court Rules governing attorney’s conduct.
7. Upon information and belief on or about June 6, 2020, a peaceful demonstration was taking place on or about the 4000 block of North Oakland Avenue in the Village of Shorewood, Wisconsin, to protest the recent murder of George Floyd at the hands of the Minneapolis Police Department.

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<sup>1</sup> SCR 20:8.3(a) provides that “A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer in other respects, shall inform the appropriate professional authority.

8. Upon information and belief on or about June 6, 2020, Respondent was in the 4000 block of North Oakland Avenue, in the Village of Shorewood, Wisconsin.
9. Upon information and belief, Respondent became agitated upon coming upon the peaceful demonstration and parked her automobile in the middle of the 4000 block of North Oakland Avenue in an attempt to block and disrupt the peaceful demonstration.
10. Upon information and belief, Respondent exited her automobile and confronted the demonstrators.
11. Upon information and belief, the demonstrators respectfully requested that Respondent move her automobile so they could continue to peacefully protest the murder of George Floyd at the hands of the Minneapolis Police Department.
12. Upon information and belief, Respondent engaged in a verbal altercation with some of the demonstrators while other demonstrators respectfully requested that Respondent move her vehicle to allow the demonstration to continue.
13. Upon information and belief, Respondent, without any valid legal reason or consent, expectorates in the face of a young African-American male.<sup>2</sup>

**VIOLATION**  
**SUPREME COURT RULE 40.15**  
**ATTORNEY'S OATH**

14. Petitioner, realleges, the allegations in paragraphs 1-13 of this Complaint and incorporates them as though fully pleaded herein.
15. Wisconsin Supreme Court Rule (“SCR”) 40.15 is the oath that every attorney shall take before being licensed to practice law in the state of Wisconsin.
16. Part of the Attorney’s Oath provides the following:

I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged.<sup>3</sup>

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<sup>2</sup> <https://www.facebook.com/watch/?v=277931043569767>

<sup>3</sup> Wisconsin Supreme Court Rule 40.15 Case Notes: The “offensive personality” component of the attorney's oath may be violated by conduct that occurs out of court as well as by in-court conduct. The conduct at issue here consisted entirely of letters written by the attorney to a local newspaper that were found to be acidic, argumentative, arrogant, and condescending but did not bring disrepute on the attorney, the legal profession or the courts. No violation was found where the attorney's primary intent in writing the letters was to protect the personal and business

17. Upon information and belief, Respondent's conduct as alleged *supra* violated her obligations as provided for in the oath that she took upon becoming an attorney.

**VIOLATION**  
**SUPREME COURT RULE CHAPTER 20**  
**RULES OF PROFESSIONAL CONDUCT FOR ATTORNEYS PREAMBLE:**  
**A LAWYER'S RESPONSIBILITIES**

18. Petitioner, realleges, the allegations in paragraphs 1-17 of this Complaint and incorporates them as though fully pleaded herein.
19. Supreme Court Rule ("SCR") Chapter 20's preamble provides in part the following:

[1] A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice.

[5] A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.

[6] As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession. As a member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in reform of the law and work to strengthen legal education. In addition, a lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority. A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal

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reputation of his client. Lawyer Regulation System v. Williams, [2005 WI 15](#), [278 Wis. 2d 237](#), [692 N.W.2d 633](#), [02-3327](#).

counsel. A lawyer should aid the legal profession in pursuing these objectives and should help the bar regulate itself in the public interest.

[7] Many of a lawyer's professional responsibilities are prescribed in the Rules of Professional Conduct, as well as substantive and procedural law. However, a lawyer is also guided by personal conscience and the approbation of professional peers. A lawyer should strive to attain the highest level of skill, to improve the law and the legal profession and to exemplify the legal profession's ideals of public service.

20. Upon information and belief, Respondent's conduct as alleged *supra* violated her obligations as provided for in the SCR Preamble.

**VIOLATION**  
**SUPREME COURT RULE CHAPTER 20:8.4**  
**MISCONDUCT**

21. Petitioner, realleges, the allegations in paragraphs 1-20 of this Complaint and incorporates them as though fully pleaded herein.
22. SCR 20:8.4 entitled *Misconduct* provides in part the following:

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (f) violate a statute, supreme court rule, supreme court order or supreme court decision regulating the conduct of lawyers;
- (g) violate the attorney's oath; and
- (i) harass a person on the basis of sex, race, age, creed, religion, color, national origin, disability, sexual preference or marital status in connection with the lawyer's professional activities. Legitimate advocacy respecting the foregoing factors does not violate par. (i).

23. Upon information and belief, Respondent's conduct as alleged *supra* violated her obligations as provided for in SCR 20:8.4.

**WHEREFORE**, Complainant respectfully requests that the Office of Lawyer Regulation commence an investigation into the above alleged conduct of Respondent, Stephanie G. Rapkin, and take whatever measures it deems that justice requires.

I certify that all information submitted herewith is true and correct to the best of my knowledge except as to the matters which are therein stated upon information and belief, and as to those matters that he believes it to be true.

Dated: June 7, 2020

MAISTELMAN & ASSOCIATES, LLC



Michael S. Maistelman  
State Bar No. 1024681

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