



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2001 Assembly Joint Resolution 13	Assembly Amendment 1
Memo published: March 6, 2001	Contact: Don Dyke, Senior Staff Attorney (266-0292)

SECTION 6 of Assembly Joint Resolution 13 creates the following constitutional provision:

Beginning with the first general election at which the governor is elected which occurs after the ratification of this subsection, a clerk of circuit court shall be chosen *by the electors of all the respective counties comprising each circuit* for the term of four years, subject to removal as provided by law. (Emphasis added.)

Among other possible interpretations, this provision can be read as requiring that only one clerk of circuit court be elected from each judicial circuit, regardless of the number of counties comprising the circuit.

Currently, the practice is to elect a clerk of circuit court from *each* county, regardless of whether a particular judicial circuit is comprised of more than one county. [ss. 59.20 (2), 59.40 and 753.30, Stats.; see also, *State of Wisconsin Blue Book, 1999-2000*, at p. 685.] There are presently three judicial circuits that include two counties: the circuit comprised of Buffalo and Pepin Counties, the circuit comprised of Florence and Forest Counties; and the circuit comprised of Menominee and Shawano Counties. [s. 753.06 (7) (a) and (9) (c) and (h), Stats.]

Assembly Amendment 1 revises SECTION 6 of Assembly Joint Resolution 13 to provide that a clerk of circuit court shall be chosen *by the electors of each county*, for the term of four years.

Assembly Amendment 1 was adopted by the Assembly on a voice vote on February 13, 2001.