


# Appendix A

STATE OF WISCONSIN  
LEGISLATIVE REFERENCE BUREAU  
DRAFTING HISTORY RESEARCH APPENDIX


 The drafting file for 2017 LRB-5699/P2 (For: DOJ)  
has been transferred to the drafting file for  
**2019 LRB-0402** (For: DOJ)



**RESEARCH APPENDIX -**

**PLEASE KEEP WITH THE DRAFTING FILE**

 Request Made By: MLJ

 Date: 10/01/2018

**2017 DRAFTING REQUEST**

**Bill**

For: **Justice** Drafter: **mjohns**  
 By: **Mike Austin** Secondary Drafters:  
 Date: **3/15/2018** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email: **austinmp@doj.state.wi.us**  
 Carbon copy (CC) to: **Melinda.Johns@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Expedited proceedings when victim <sup>or witness</sup> is an elderly person

**Instructions:**

Create a provision to expedite the criminal proceedings when the victim is an elder person, modeled after 971.105

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mjohns 3/28/2018	kfollett 3/28/2018			
/P1	mjohns 5/11/2018	kfollett 5/14/2018	dwalker 3/28/2018		
/P2			dwalker 5/14/2018		

FE Sent For: **<END>**



DUE 3/29/18

LRB-5699?  
MLJ: gf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

Gen

1 AN ACT ...; relating to: expedited criminal proceedings when a victim or witness  
2 is an elder person.

---

*Analysis by the Legislative Reference Bureau*

This bill creates a requirement that a court expedite proceedings in criminal and delinquency cases and juvenile dispositions hearings involving a victim or witness who is an elder person, which means the person is 62 years of age or older. Under the bill, the court must take appropriate action to ensure a speedy trial in order to minimize the length of time the elder person must endure the stress of involvement in the proceedings.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 SECTION 1. 971.108 of the statutes is created to read:  
4 971.108 Elder person victims and witnesses; duty to expedite  
5 proceedings. In all criminal and delinquency cases and juvenile dispositional  
6 hearings involving a victim or witness who is an elder person, as defined in s. 973.017  
7 (5) (a) 1., the court and the district attorney shall take appropriate action to ensure

1 a speedy trial in order to minimize the length of time the elder person must endure  
2 the stress of the elder person's involvement in the proceeding. In ruling on any  
3 motion or other request for a delay or continuance of proceedings, the court shall  
4 consider and give weight to any adverse impact the delay or continuance may have  
5 on the well-being of a victim or witness who is an elder person.

6

**(END)**



State of Wisconsin  
2017 - 2018 LEGISLATURE

DUE 5/14/18

LRB-5699/P1 1P2  
MLJ:kjf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1 **AN ACT** *to create* 971.108 of the statutes; **relating to:** expedited criminal  
2 proceedings when a victim or witness is an elder person.

---

*Analysis by the Legislative Reference Bureau*

This bill creates a requirement that a court expedite proceedings in criminal and delinquency cases and juvenile dispositions hearings involving a victim or witness who is an elder person, which means the person is 62 years of age or older. Under the bill, the court must take appropriate action to ensure a speedy trial in order to minimize the length of time the elder person must endure the stress of involvement in the proceedings.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** 971.108 of the statutes is created to read:  
4 **971.108 Elder person victims and witnesses; duty to expedite**  
5 **proceedings.** In all criminal and delinquency cases and juvenile dispositional  
6 hearings involving a victim or witness who is an elder person, as defined in s. 973.017  
7 (5) (a) 1., the court and the district attorney shall take appropriate action to ensure

1 a speedy trial in order to minimize the length of time the elder person must endure  
2 the stress of the elder person's involvement in the proceeding. In ruling on any  
3 motion or other request for a delay or continuance of proceedings, the court shall  
4 consider and give weight to any adverse impact the delay or continuance may have  
5 on the well-being of a victim or witness who is an elder person.

6 (END)

~~NOTE~~ Note: The age of an "elder person" is designated by cross-reference in this draft, and current law sets the age at 62 years of age or older. To change this, s. 973.017 (5)(a)1. must be amended either in this draft or another stand-alone draft.



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5699/P2  
MLJ:kjf

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to create* 971.108 of the statutes; **relating to:** expedited criminal  
2           proceedings when a victim or witness is an elder person.

---

***Analysis by the Legislative Reference Bureau***

This bill creates a requirement that a court expedite proceedings in criminal and delinquency cases and juvenile dispositional hearings involving a victim or witness who is an elder person. Under the bill, the court must take appropriate action to ensure a speedy trial in order to minimize the length of time the elder person must endure the stress of involvement in the proceedings.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3           **SECTION 1.** 971.108 of the statutes is created to read:  
4           **971.108 Elder person victims and witnesses; duty to expedite**  
5     **proceedings.** In all criminal and delinquency cases and juvenile dispositional  
6     hearings involving a victim or witness who is an elder person, as defined in s. 973.017  
7     (5) (a) 1., the court and the district attorney shall take appropriate action to ensure  
8     a speedy trial in order to minimize the length of time the elder person must endure

1 the stress of the elder person's involvement in the proceeding. In ruling on any  
2 motion or other request for a delay or continuance of proceedings, the court shall  
3 consider and give weight to any adverse impact the delay or continuance may have  
4 on the well-being of a victim or witness who is an elder person.

\*\*\*\*NOTE: The age of an "elder person" is designated by cross-reference in this  
draft, and current law sets the age at 62 years of age or older. To change this, s. 973.017  
(5) (a) 1. must be amended either in this draft or another stand-alone draft.

5

(END)