



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1774/1
SWB:amn

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 778**

January 11, 2018 - Offered by Representative DOYLE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 11: after that line insert:

3 **“SECTION 2m.** 809.107 (5) (a) of the statutes is amended to read:

4 809.107 (5) (a) *Filing; and service of notice of appeal.* Within 30 days after the
5 later of the service of the transcript or the circuit court case record, unless extended
6 under s. 809.82, the appellant shall file a notice of appeal as provided in s. 809.10 and
7 serve a copy of the notice on the persons required to be served under sub. (2) (bm).
8 For an appellant other than the state, the appellant on whose behalf the notice of
9 appeal is filed shall sign the notice. Appellant’s counsel, if any, shall also sign the
10 notice of appeal, but may not sign in lieu of the appellant.”.

11 **2.** Page 3, line 1: delete the material beginning with “shall” and ending with
12 “remand” on line 3 and substitute “shall file an affidavit in support of the motion
13 stating with specificity the reasons that postjudgment fact-finding is necessary. The

1 person signing the affidavit shall in the affidavit affirm under s. 802.05 (2) that, to
2 the best of his or her knowledge, information, and belief, remand is warranted and
3 is not being sought to cause unnecessary delay”.

4 **3.** Page 3, line 8: after that line insert:

5 “**SECTION 3m.** 809.107 (6) (f) of the statutes is amended to read:

6 809.107 (6) (f) *Petition for review.* A petition for review of an appeal in the
7 supreme court, if any, shall be filed within 30 days after the date of the decision of
8 the court of appeals. For a petitioner other than the state, the petitioner on whose
9 behalf the petition for review is filed shall sign the petition. Petitioner’s counsel, if
10 any, shall also sign the petition for review, but may not sign in lieu of the petitioner.
11 The supreme court shall give preference to a petition for review of an appeal filed
12 under this paragraph.”.

13 (END)