



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 164
[2013 Assembly Bill 560]

Director of State Courts
Remedial Legislation

2013 Wisconsin Act 164 is remedial legislation, introduced by the JLC Law Revision Committee at the request of the Director of State Courts. It consists of two provisions.

Juries in Criminal Cases

In *State v. Hansford*, 219 Wis. 2d 226, 580 N.W.2d 171 (1998), the Wisconsin Supreme Court held that the Wisconsin Constitution requires a 12-person jury in all criminal cases and that the law providing for a six-person jury in misdemeanor cases was unconstitutional.

Act 164 eliminates an inconsistency in current law governing the number of jurors in a criminal case. The bill eliminates a provision that allows a six-person jury in misdemeanor cases and provides that a jury in any criminal case shall consist of 12 persons, unless the parties agree to a smaller number and the court approves the agreement.

Contents of Registers of Officials

The clerk of circuit court for each county must keep a record called “registers of officials” containing the names of circuit and supplemental court commissioners, deputy sheriffs, notaries public, and municipal judges. Under Act 164, the clerk of circuit court is not required to keep the names of notaries public in the registers of officials.

Effective date: March 29, 2014.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.