



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2001 Assembly
Joint Resolution 24**

**Assembly
Amendment 1**

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Contact: Robert J. Conlin, Senior Staff Attorney (266-2298)

CURRENT LAW

Under current law, clerks of circuit court are elected to two-year terms of office. Currently, the practice is to elect a clerk of circuit court from each county, regardless of whether a particular judicial district 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 JOINT RESOLUTION 24

Assembly Joint Resolution 24, which is a proposed constitutional amendment on a first consideration, changes the terms of office for clerks of circuit court from two years to four years. Specifically, SECTION 2 of Assembly Joint Resolution 24 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 4 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 be elected from each judicial circuit, regardless of the number of counties comprising the circuit.

ASSEMBLY AMENDMENT 1 TO ASSEMBLY JOINT RESOLUTION 24

Assembly Amendment 1 revises the above-cited language to provide that the clerk of circuit court must be chosen by the electors of each county, for the term of four years.

Assembly Amendment 1 was recommended for adoption by the Assembly Committee on Campaigns and Elections on April 12, 2001, on a vote of Ayes, 6, Noes, 0. The Joint Resolution was recommended for passage, as amended, by the same committee on a vote of Ayes, 5, Noes, 1.

RJC:rv;wu