

CHAPTER SCR 32

CONTINUING EDUCATION FOR WISCONSIN JUDICIARY

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Judicial Council Committee’s Note, 1979: The following rules govern continuing education requirements for members of the Wisconsin judiciary. These rules were originally adopted on June 29, 1976, effective January 1, 1977. The rules were originally numbered 1 to 8 and have been clarified and numbered SCR 32.001 to 32.08 for uniformity and convenience.

Note: SCR Chapter 32 was amended November 25, 1980; November 16, 1982; January 21, 1985; February 8, 1985; December 2, 1992; September 12, 1997; January 1, 2008; December 14, 2007; September 15, 2017; December 21, 2017.

SCR 32.001 Definition. In this chapter, “judge” means a judge of a court of record but not a justice of the supreme court or a judge of the court of appeals.

History: Sup. Ct. Order No. 17–11, 2017 WI 109, filed and eff. 12–21–17.

SCR 32.002 Applicability. The commissioners of the supreme court and staff attorneys of the court of appeals are subject to the educational requirements of this chapter in the same manner as judges are.

SCR 32.01 Judicial education committee. A judicial education committee is created consisting of the chief justice of the supreme court or his or her designee, the chief judge of the court of appeals or his or her designee, the director of state courts, 2 circuit court commissioners appointed by the supreme court, 8 circuit court judges appointed by the supreme court, and the deans of the university of Wisconsin and Marquette law schools or their designees. The circuit court judge and circuit court commissioner members shall serve staggered 2–year terms and may serve not more than two successive 2–year terms. The dean of the Wisconsin Judicial College is a member ex officio of the committee and has voting privileges.

History: Sup. Ct. Order No. 07–07, 2007 WI 140, 302 Wis. 2d xv.

SCR 32.02 Compulsory education required. (1) A judge shall earn 60 credits each period of 6 years by participating in educational programs approved by the judicial education committee. The 6–year period begins on January 1, 1977, for a judge in office on that date and on the date of taking office for a judge taking office after that date.

(2) The committee may sponsor educational programs for court support personnel.

(3) Justices and appellate judges are encouraged but not required to attend and participate in national and in–state educational activities.

History: Sup. Ct. Order No. 17–11, 2017 WI 109, filed and eff. 12–21–17.

SCR 32.03 Definition of credit. Credit may be earned by attendance at both in–state and national educational programs sponsored or approved by the Wisconsin supreme court judicial education committee. One credit is awarded for each half–day of attendance at an in–state educational program. The amount of credit to be awarded for attendance at a national program is to be determined by the judicial education committee.

SCR 32.04 Required programs. During each 6–year period, a judge shall attend at least once the Wisconsin judicial college, the criminal law–sentencing institute and the prison tour. Credit earned for attendance at these programs is to be included as part of the required 60 credits.

History: Sup. Ct. Order No. 17–11, 2017 WI 109, filed and eff. 12–21–17.

SCR 32.05 Minimum and maximum. A judge shall during each year earn no less than 5 nor more than 15 credits at an in–state educational activity. The 15 credit maximum may be waived upon prior approval granted by the judicial education committee or its designee upon application of an individual judge. The 15 credit maximum does not apply to the year the judge attends the Wisconsin judicial college and/or the criminal law–sentencing institute and prison tour. A trial judge may not earn more than 24 credits for attendance at national educational activities in any 6–year period. A judge is not required to attend any national educational activity.

SCR 32.06 Programs receiving credit. Credit shall be granted for attendance at all programs for judges sponsored by the judicial education committee. In addition, credit for other programs shall be given for that portion of the program addressed to judicial education and approved by the judicial education committee.

SCR 32.07 Credit for other educational activities. Credit may be granted by the judicial education committee for other educational activities undertaken by a judge such as writing or teaching. A judge may receive credit for teaching for which he or she is compensated if the teaching does not interfere with the judge’s performance of his or her judicial duties and is performed outside of regular court hours or while the judge is on vacation.

SCR 32.08 Reserve judges. (1) To be eligible for appointment or reappointment as a reserve judge to perform judicial assignments, a person otherwise entitled to appointment shall earn 5 credits during the calendar year immediately preceding appointment or reappointment. The director of state courts shall determine which judicial education programs may be attended to earn the required 5 credits. One credit is awarded for each half–day of attendance at programs sponsored or approved by the judicial education committee. Reserve judges are not required to comply with SCR 32.04.

(2) A reserve judge is entitled to reimbursement of expenses incurred in attending judicial education programs as required or permitted by sub. (1) or approved under sub. (3), as well as in attending the annual meeting of the Wisconsin Judicial Conference during the calendar year of actual service, whether or not judicial education credits for attending the annual meeting are claimed.

(3) The requirements of this rule may be waived in an individual case by the director of state courts for good cause.

History: Sup. Ct. Order 187 Wis. 2d xxix (1992); Sup. Ct. Order No. 97–04, 212 Wis. 2d xiii (1997); Sup. Ct. Order No. 17–08, 2017 WI 87, filed and eff. 9–15–17.

SCR 32.09 Noncompliance. (1) If a judge fails to comply with the provisions of this chapter, the director of judicial education shall send the judge a notice of noncompliance by registered or certified mail. The nature of noncompliance shall be specified in the notice. Copies of the notice shall be sent to the director of state courts and to the chief judge of the court of appeals or administrative district. The notice shall inform the judge that an extension is being granted for compliance. The director of judicial edu-

cation shall have the authority to set the period of extension up to six months, which will be of such duration to reasonably allow compliance. For good cause, the judicial education committee may extend the period for compliance.

(2) After the period of the extension has passed and the judge has not complied with this chapter, the director of judicial education shall refer the violation to the judicial education committee for a hearing and send the judge a notice of the hearing by registered or certified mail.

(3) If the judicial education committee finds the judge has not complied with this chapter, it shall refer the matter to the supreme

court for such action as it deems appropriate. Notice of such referral shall be sent to the director of state courts and the chief judge of the court of appeals or appropriate administrative district.

History: Sup. Ct. Order No. 07–05, 2007 WI 130, 301 Wis. 2d xxxi.

SCR 32.10 Applicability. (1) Except as provided in sub. (2), this chapter applies retrospectively to January 1, 1977, but judges may receive credit for attendance at educational programs during 1976. These credits are to be considered part of the required 60 credits to be earned during the 6-year period commencing January 1, 1977, and ending December 31, 1982.

(2) SCR 32.08 and 32.09 shall take effect on January 1, 1981.