CHAPTER 758

JUDICIAL BRANCH AGENCIES AND COMMITTEES

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758.01 State law library. (1) The supreme court shall maintain a state law library for the use of officers and employees of this state, attorneys and the public. The supreme court may promulgate and enforce rules governing the use of the library and appoint and fix the compensation of a librarian and such staff as is necessary to operate the library.

(2) The supreme court may establish and charge fees for photocopying, microfilm copying, books, generation of copies of documents from optical disc or electronic storage, computer services, and other services provided by the state law library. The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

History: 1971 c. 152 ss. 7, 40; 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.01; 1977 c. 29; 1977 c. 187 s. 97; Stats. 1977 s. 758.01; Sup. Ct. Order, eff. 1−1−80; 1983 a. 27, 538; 1991 a. 39; 1995 a. 27; 2015 a. 196.

758.02 Exchanges. The state law librarian may effect exchanges of official documents listed in s. 35.84 with law libraries of other states and foreign governments.

History: 1985 a. 29.

758.13 Judicial council. (1) MEMBERSHIP; APPOINTMENT; TERMS. (a) There is created a judicial council of 21 members as follows:

1. One supreme court justice designated by the supreme court.

2. One court of appeals judge designated by the court of appeals.

3. The director of state courts or his or her designee.

4. Four circuit judges designated by the judicial conference.

5. The chairpersons of the senate and the assembly committees dealing with judicial affairs or a member of each such committee designated by the respective chairperson.

6. The attorney general or his or her designee.

7. The chief of the legislative reference bureau or his or her designee.

8. The deans of the law schools of the University of Wisconsin and Marquette University or a member of the respective law school faculties designated by the deans.

9. The state public defender or his or her designee.

10. The president−elect of the State Bar of Wisconsin or a member of the board of governors of the state bar designated by the president−elect.

11. Three additional members of the state bar selected by the state bar to serve 3−year terms.

12. One district attorney appointed by the governor.

13. Two citizens at large appointed by the governor to serve 3−year terms.

(b) The names of the judicial council members shall be certified to the secretary of state by the judicial council attorney. Members shall hold office until their successors have been selected. Members shall receive no compensation, but shall be reimbursed from the appropriation made by s. 20.670 (1) for expenses necessarily incurred by members in attending council meetings.

(2) POWERS AND DUTIES. The council shall:

(a) Observe and study the rules of pleading, practice and procedure, and advise the supreme court as to changes which will, in the council's judgment, simplify procedure and promote a speedy determination of litigation upon its merits.

(b) Survey and study the organization, jurisdiction and methods of administration and operation of all the courts of this state.

(d) Receive, consider and in its discretion investigate suggestions from any source pertaining to the administration of justice and to make recommendations.

(e) Keep advised concerning the decisions of the courts relating to the procedure and practice therein and concerning pending legislation affecting the organization, jurisdiction, operation, procedure and practice of the courts.

(f) Recommend to the legislature any changes in the organization, jurisdiction, operation and methods of conducting the business of the courts, including statutes governing pleading, practice, procedure and related matters, which can be put into effect only by legislative action.

(g) Recommend to the supreme court, legislature and governor any changes in the organization, operation and methods of conducting the business of the courts that will improve the efficiency and effectiveness of the court system and result in cost savings.

(3) ORGANIZATION. (a) The council shall elect a chairperson and vice chairperson.

(b) The council may promulgate and modify rules for the conduct of its proceedings in the exercise of its powers. The council may meet at such time and place as it determines but at least once every 3 months. It shall meet upon call of the chairperson or a call signed by 5 members of the council. Eleven members shall constitute a quorum.

(c) The council may appoint regular and special committees of its members to investigate and report upon any matters relating to its duties. The council or any committee thereof when so authorized by the council is empowered to hold public hearings at such times and places within the state as may be determined. Any member of the council or any committee thereof shall have the power to administer oaths to persons testifying before the council or committee. By subpoena issued over the signature of its chairperson or acting chairperson and served in the manner in which circuit court subpoenas are served, the council or any committee when authorized by the council, may summon and compel the attendance of witnesses. If any witnesses subpoenaed to appear before the council or committee thereof refuse to appear or answer inquiries propounded, the council or committee shall report the facts to the circuit court of Dane County and the court shall compel obedience to the subpoena.

(e) The council may call upon any department of the state or any county or municipality thereof or any court for such facilities and data as may be available, and such departments, counties, municipalities and courts shall cooperate with the council to the fullest extent.

(f) The council may make such reports as it deems proper or as are requested by the legislature or the supreme court. The council may publish such reports as it considers necessary.

(g) 1. In this paragraph:

a. "Candidate" has the meaning given in s. 11.0101 (1).

b. "Contribution" has the meaning given in s. 11.0101 (8).

c. "Local office" has the meaning given in s. 5.02 (9).

d. "State office" has the meaning give in s. 5.02 (23).

2. The judicial council may appoint outside of the classified service an attorney, who is a member in good standing of the State Bar of Wisconsin, who shall be strictly nonpartisan, and who shall not make a contribution to a candidate for state office or local office while employed by the judicial council, to provide staff services to the council.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.13; 1975 c. 39, 199; 1977 c. 187 s. 97; 1977 c. 325, 449; Stats. 1977 s. 758.13; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1983 a. 377; 1989 a. 31; 1995 a. 27; 2001 a. 103; 2005 a. 149; 2007 a. 20; 2015 a. 117.

758.171 Judicial conference: uniform citation. The judicial conference shall adopt a uniform citation form for use as authorized under s. 968.085. A duly authenticated copy of this form shall be furnished to the secretary of state and kept on file in his or her office. The secretary of state shall transmit a copy of this form to the clerks of circuit court.

History: 1983 a. 433.

758.18 Judicial conference: standard court forms. (1) The judicial conference shall adopt standard court forms for use by parties and court officials in all civil and criminal actions and proceedings in the circuit court as provided in ss. 807.001 (1) and 971.025 (1). If an applicable court form has been adopted under sub. (2), that form may be used in lieu of the standard court form.

(2) At the request of the director of state courts, the judicial conference may adopt forms created for voluntary use by self−represented litigants in the circuit court. The judicial conference shall identify which forms are intended for voluntary use.

(3) The judicial conference may adopt translations of forms adopted under subs. (1) and (2). The judicial conference shall identify the forms to be translated and the languages to be used.

History: Sup. Ct. Order No. 98−01, 228 Wis. 2d xiii (2000); Sup. Ct. Order No. 05−02, 2005 WI 41, 278 Wis. 2d xxxv; Sup. Ct. Order No. 05−04, 2005 WI 44, 278 Wis. 2d xxxix.

Court Orders Use of Standard Court Forms. Nispel. Wis. Law. Dec. 1999.

758.19 Director of state courts. (1) The director of state courts shall be included within the Wisconsin retirement system and ch. 40 applies to the director as it applies to justices of the supreme court.

(2) (a) The director may establish and charge fees for the provision of services or sale of documents concerning any of the following:

1. Uniform court forms.

2. Computer generated special reports of court information data.

3. Photocopies.

4. Pamphlets.

(b) The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

(4) The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (j). If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs incurred to implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for county management information needs in addition to the circuit court automated information system use.

(4m) The director of state courts may establish and charge fees for electronic filing of court documents under the circuit court automated information systems created under this section. The secretary of administration shall credit all moneys collected under this subsection to the appropriation account under s. 20.680 (2) (j).

(5) (am) The director of state courts may create a uniform chart of accounts that each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts and may audit the information submitted under par. (e). If the director of state courts decides to create a uniform chart of accounts, he or she shall consult with the department of revenue regarding the creation of that chart.

(b) From the appropriation under s. 20.625 (1) (cg), the director of state courts shall make payments to counties for circuit court costs. The director of state courts, at the direction of the supreme court, shall define circuit court costs for the purposes of this subsection.

(e) No later than May 15, 2009, and no later than May 15 of each year thereafter, each county shall submit to the director of state courts, in a format that is established by the director of state courts, and in a manner that comports with the uniform chart of accounts under par. (am), information regarding the amount of actual circuit court costs that the county incurred in the previous calendar year and revenues collected or received by the circuit court in the previous calendar year.

(f) A county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3), after the May 15 that the information was not provided, or until the information is provided, whichever is earlier. Except as provided in this paragraph, the information regarding the amount of actual costs reported under par. (e) does not affect the amount paid to a county under par. (b).

(i) The director of state courts shall compile the information reported under par. (e) and, by October 1 annually, submit that information to the legislature under s. 13.172 (2) and to the governor.

(7) The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the secretary of administration, no later than September 15 of each even−numbered year, a strategic plan for the utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the courts and judicial branch agencies under the plan.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265; 2007 a. 1, 20; 2009 a. 28; 2011 a. 32; 2015 a. 55, 118.