

No. 249, A.]

[Published August 23, 1955.

CHAPTER 577

AN ACT to amend 252.09, 270.12 (1) and 270.125 (3) of the statutes, relating to prosecutions for violations of municipal ordinances and appeals thereof in circuit courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 252.09 of the statutes is amended to read:

252.09 Every term of the circuit court continues to the commencement of the next term in the same county. A jury shall be drawn and summoned to appear at * * * 10 a.m., of the first day of each term, unless the presiding judge directs some other time or directs that no jury be summoned; which direction he may make for the convenience of business or when satisfied that no jury issues will be for trial. All criminal cases and prosecutions for violations of municipal ordinances arising after the commencement of a term shall be placed upon the calendar of the current term. In certiorari and appeals the date of filing the return is the date of issue. Every issue of fact or law may be noticed for trial at any time. A note of such issue may thereupon be filed by either party, and at the expiration of 10 days after service of such notice the clerk shall place such issue on the calendar of the current term. The note of issue shall contain the title of the action, the names of the attorneys, the time when issue was joined, and state whether the issue be of law or of fact, and if the latter, whether triable by the court or by the jury. If such note of issue be not filed the court may direct the action when noticed for trial to be placed on the calendar.

SECTION 2. 270.12 (1) of the statutes is amended to read:

270.12(1) The clerk shall prepare a calendar for each term of the circuit court of all actions which are for trial as shown by the notices filed including those covered by s. 252.10, containing the title of each

action, the names of the attorneys, and the date of issue, and arranged according to the dates of issues as follows: (a) Criminal cases; (ab) *Prosecutions for violations of municipal ordinances and appeals thereof from inferior, municipal and justice courts to the circuit court*; (b) civil jury issues; (c) issues of fact for court; (d) issues of law. In which order the calendar shall be disposed of unless for convenience of parties, the dispatch of business, or the prevention of injustice, the court shall otherwise direct.

SECTION 3. 270.125 (3) of the statutes is amended to read:

270.125 (3) The criminal cases, *ordinance violation cases and appeals thereof from inferior, municipal and justice courts* and the first 6 civil cases on the calendar shall be subject to call for trial upon the first day of the term. The clerk shall each day make up the following day's calendar, upon which he shall place such cases as the presiding judge shall direct.

Approved August 18, 1955.
