



1995 ASSEMBLY BILL 969

February 29, 1996 - Introduced by Representatives KELSO, AINSWORTH, GREEN, GROTHMAN, OWENS, PORTER, SILBAUGH, ALBERS, OLSEN, BRANDEMUEHL, GOETSCH, KAUFERT, NASS, KREUSER, SCHNEIDERS and GUNDERSON, cosponsored by Senators COWLES and DRZEWIECKI. Referred to Committee on Judiciary.

1 **AN ACT to amend** 757.69 (1) (d) and 799.206 (3) of the statutes; **relating to:**
2 powers of court commissioners.

Analysis by the Legislative Reference Bureau

Under current law, a court commissioner, if delegated by a judge and with the approval of the chief judge, may perform numerous tasks, including issuing arrest and search warrants, conducting initial appearances in traffic and county ordinance cases, hearing petitions for commitment and conducting initial return appearance and conciliation conferences in small claims actions. This bill allows a court commissioner, if delegated by a judge and with the approval of the chief judge, to conduct eviction actions in small claims actions.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 757.69 (1) (d) of the statutes is amended to read:

4 757.69 (1) (d) In small claims actions, conduct initial return appearance and
5 conciliation conferences and all proceedings related to eviction actions, except trials
6 to a jury.

7 **SECTION 2.** 799.206 (3) of the statutes is amended to read:

8 799.206 (3) When all parties appear in person or by their attorneys on the
9 return date in ~~an eviction~~, a garnishment or replevin action and any party claims

SECTION 2

1 that a contest exists, the matter shall be forthwith scheduled for a hearing, to be held
2 as soon as possible before a judge. When all parties appear in person or by their
3 attorneys on the return date in an eviction action and any party claims that a contest
4 exists, the matter shall be forthwith scheduled for a hearing, to be held as soon as
5 possible before a court commissioner.

6 **SECTION 3. Initial applicability.**

7 (1) This act first applies to eviction actions commenced on the effective date of
8 this subsection.

9 (END)