


State of Wisconsin


LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**


Date Transfer Requested: 02/02/2012 (Per: TKK)

Compile Draft – Appendix **(A)** ... Part 01 of 01

A  The 2011 drafting file for
LRB-3795

C  The 2011 drafting file for
LRB-3797

B  The 2011 drafting file for
LRB-3796

D  The 2011 drafting file for
LRB-3799

2011 LRB-3795 has been copied/added to the drafting file for

2011 LRB-4010/1

2011 DRAFTING REQUEST

Bill

Received: 12/30/2011

Received By: tkuczens

Wanted: As time permits

Companion to LRB:

For: Legislative Council - LRC

By/Representing: Laura Rose

May Contact: Laura Rose 266-9791

Drafter: tkuczens

Subject: Courts - courts/judges/commsrs

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Laura.Rose@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov
Rep.Ottj@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Eliminate provision requiring circuit court clerk to file municipal judge's oath and bond

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/P1	tkuczens 01/12/2012	jdyer 01/23/2012	phenry 01/23/2012	_____	mbarman 01/23/2012		

FE Sent For:

<END>

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1/2	tkuczens	Pl. 3/3/12	1/3/12	pk			
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FE Sent For:

<END>

Kuczenski, Tracy

From: Rose, Laura
Sent: Friday, December 30, 2011 10:57 AM
To: Kuczenski, Tracy; Hurley, Peggy
Subject: Law revision bill request

Attachments: 1394_001.pdf

Hi Tracy and Peggy



1394_001.pdf
(140 KB)

Representative Jim Ott, who is the Assembly Co-chair of the Law Revision Committee, asked me to get these items drafted as remedial legislation. This request will be by the Law Revision Committee, as opposed to a state agency. The statute seems to allow for that (see s. 13.83(1)(c)4., Stats.).

I hope it's okay that I sent it to both of you since you are both listed under "Courts".

I'll have another Ott request soon from the same group, but it won't be remedial. I'll send that in a separate email.

Thank you, and happy new year!

Laura

Laura D. Rose, Deputy Director
Wisconsin Legislative Council
One East Main Street, Suite 401
PO Box 2536
Madison, WI 53701-2536
tel: 608.266.9791
fax: 608.266.3830
laura.rose@legis.wisconsin.gov

**MEMORANDUM TO MEMBERS OF THE SENATE AND ASSEMBLY
FROM THE WISCONSIN MUNICIPAL JUDGES ASSOCIATION
December, 2011**

The Wisconsin Municipal Judges Association has reviewed the implementation of 2009 Wis. Act 402 since its effective date of January 1, 2011. As might be expected with a bill which ran 49 pages, there are several areas that need to be addressed in a trailer bill. It is our understanding that a number of issues might be addressed by a bill put forward by the Law Revision Committee. They are as follows:

X The circuit court clerk no longer has responsibility for processing or filing the judge's oath and bond. We therefore need to eliminate references to the clerk's responsibility in secs. 19.01(4)(c) and 59.40(2)(L).

AM/MS/D
For information, please contact Judge Dan Koval, City of Madison Municipal Court, (608) 264-9282, dkoval@cityofmadison.com or James Gramling, (414) 412-7962, velagram2@aol.com.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3795

TKK:.....

RMR

PI
JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1/12/12

5007

X

Gen

1
2

AN ACT ...; relating to: role of the clerk of a circuit court in filing oath and bond
of a municipal judge.

(Act 402)

Analysis by the Legislative Reference Bureau

Current law requires municipal judges to take and file an official oath and execute and file an official bond. 2009 Wisconsin Act 402 made a number of changes to the law governing municipal courts and municipal judges. Prior to the enactment of Act 402, municipal judges were required to file the oath and bond with the clerk of the circuit court. Act 402 requires municipal judges to, instead, file the oath and bond with the clerk of the city, town, or village, where the judge was elected.

This bill eliminates a provision that requires municipal judges to file the oath and bond with the clerk of the circuit court for which the municipal judge serves. This bill also eliminates a requirement that the clerks of the circuit courts annually send a certified list of all municipal court judges who filed their official bonds with the clerks during the preceding year.

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

3
4

SECTION 1. 19.01 (4) (c) 3. of the statutes is repealed.

SECTION 2. 19.01 (4) (c) 4. of the statutes is amended to read:

1 19.01 (4) (c) 4. All judges ~~or, other than municipal judges, and all judicial~~

2 officers, ~~not included in subs. 1. and 3.~~ ~~other than judicial officers under subs. 1. and~~

3 ~~3~~, elected or appointed for that county, or whose jurisdiction is limited to that county.

History: 1971 c. 154; 1977 c. 29 s. 1649; 1977 c. 187 ss. 26, 135; 1977 c. 305 s. 64; 1977 c. 449; Sup. Ct. Order, eff. 1-1-80; 1979 c. 110 s. 60 (13); 1983 a. 6, 192; 1983 a. 538 s. 271; 1989 a. 31; 1991 a. 39, 316; 1993 a. 399; 1997 a. 250; 1999 a. 32, 83; 2001 a. 61; 2007 a. 96.

4 SECTION 3. 59.40 (2) (L) of the statutes is repealed.

5 (END)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3795.P1
TKK:jld:ph

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to repeal** 19.01 (4) (c) 3. and 59.40 (2) (L); and **to amend** 19.01 (4) (c) 4.
2 of the statutes; **relating to:** role of the clerk of a circuit court in filing oath and
3 bond of a municipal judge.

Analysis by the Legislative Reference Bureau

Current law requires municipal judges to take and file an official oath and execute and file an official bond. 2009 Wisconsin Act 402 (Act 402) made a number of changes to the law governing municipal courts and municipal judges. Prior to the enactment of Act 402, municipal judges were required to file the oath and bond with the clerk of the circuit court. Act 402 requires municipal judges to, instead, file the oath and bond with the clerk of the city, town, or village, where the judge was elected.

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