



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Senate Bill 74

**Senate
Amendment 1**

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Current law provides that a defendant has a right to one substitution of a judge in a criminal proceeding. Upon a timely filing of a request for substitution in proper form, the judge whose substitution has been requested has no authority to act further in the action except to conduct the initial appearance, accept pleas, and set bail.

Senate Bill 74 repeals the statute under which a criminal defendant has a right to substitute a judge.

Senate Amendment 1 modifies the bill so that the right to substitution is preserved but provides that a request for substitution must be in writing and must state the reason for the request.

Legislative History

Senator Grothman offered Senate Amendment 1. On June 8, 2011, the Senate adopted the amendment and passed the bill, as amended, on voice votes.

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