

1985 Assembly Bill 385

Date of enactment: **March 19, 1986**  
Date of publication: **March 25, 1986**

## 1985 Wisconsin Act 145

AN ACT to repeal 345.11 (3) (intro.); to renumber and amend 345.11 (3) (a) to (i) and 801.15 (1); to amend 345.11 (2), 345.11 (4), 806.01 (1) (b), 806.11 (1) and 806.15 (1); and to create 15.467 (4) (intro.) and (j) and 801.15 (1) (a) of the statutes, relating to creation of a council on the uniformity of traffic citations and complaints to replace the uniform traffic citation and complaint committee, computation of time periods in court actions and information required to be entered on judgments and in lien and judgment dockets (suggested as remedial legislation by the director of state courts).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the director of state courts, and introduced by the law revision committee under s. 13.83 (1) (c) 4, stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 15.467 (4) (intro.) and (j) of the statutes are created to read:

15.467 (4) COUNCIL ON UNIFORMITY OF TRAFFIC CITATIONS AND COMPLAINTS. (intro.) There is created in the department of transportation a council on uniformity of traffic citations and complaints. Notwithstanding s. 15.09 (6), members of the council shall not be reimbursed for expenses incurred in the performance of their duties on the council. The council shall consist of the following members:

(j) A member designated by the director of state courts.

SECTION 2. 345.11 (2) of the statutes is amended to read:

345.11 (2) The uniform traffic citation and complaint shall be on a form ~~prescribed~~ recommended by the ~~committee created by sub. (3)~~ council on uniformity of traffic citations and complaints and shall consist

of 4 parts: a complaint, a report of conviction and abstract of court record for the department, a police record and report of action on the case and a traffic citation and stipulation of guilt. The form shall provide for the name, address, birth date, operator's license number of the alleged violator if known, the license number of the vehicle, the offense alleged, the time and place of the offense, the section of the statute or ordinance violated, a designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so, and such other information as may be pertinent to the offense.

SECTION 3. 345.11 (3) (intro.) of the statutes is repealed.

SECTION 4. 345.11 (3) (a) to (i) of the statutes are renumbered 15.467 (4) (a) to (i), and 15.467 (4) (b) and (i), as renumbered, are amended to read:

15.467 (4) (b) A member of the department of transportation responsible for law enforcement.

(i) A member of the ~~Wisconsin traffic judges association~~ judicial conference, designated by the ~~president thereof~~ chairperson of the conference.

SECTION 5. 345.11 (4) of the statutes is amended to read:

345.11 (4) ~~The committee shall meet at the call of the chairperson. Members of the committee shall receive no compensation for their services and shall~~

~~not be reimbursed for their expenses.~~ Upon approval recommendation of a form for the uniform traffic citation and complaint by the committee council on uniformity of traffic citations and complaints, the secretary shall under s. 110.06 promulgate ~~such the~~ form as an administrative rule, and with the approval advice of the committee council shall make such other rules as are necessary for the implementation and operation of this section.

SECTION 6. 801.15 (1) of the statutes is renumbered 801.15 (1) (b) and amended to read:

801.15 (1) (b) Notwithstanding ss. 985.09 and 990.001 (4), in computing any period of time prescribed or allowed by chs. 801 to 847, by any other statute governing actions and special proceedings, or by order of court, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a ~~legal~~ holiday. When the period of time prescribed or allowed is less than 7 days, Saturdays, Sundays and ~~legal~~ holidays shall be excluded in the computation. ~~As used in this section "legal holiday" means any statewide legal holiday provided in s. 895.20.~~

SECTION 7. 801.15 (1) (a) of the statutes is created to read:

801.15 (1) (a) In this subsection, "holiday" means any day which is a holiday provided in s. 230.35 (4) (a) or a statewide legal holiday provided in s. 895.20 or both, and a full day on Good Friday.

NOTE: Under the current statute, the time period specified by law or by a court relating to a court action or special proceeding is extended if the last day of the time period falls on a Saturday, Sunday or legal holiday. This amendment adds Good Friday, Christmas eve and New Year's eve. The afternoon of Good Friday and the full day on December 24 and 31 are holidays for state employes, and the amendment will permit clerks to close their offices at these times.

SECTION 8. 806.01 (1) (b) of the statutes is amended to read:

806.01 (1) (b) Each judgment shall specify the relief granted or other determination of the action, and the name and place of residence of each party to the action ~~and occupation, trade or profession.~~

SECTION 9. 806.11 (1) of the statutes is amended to read:

806.11 (1) The name ~~at length~~ of each delinquent income tax debtor, with place of residence ~~and occupation, trade or profession~~, if ~~any such be~~ it is stated in the warrant.

SECTION 10. 806.15 (1) of the statutes is amended to read:

806.15 (1) Every judgment, when properly docketed, and the docket gives the judgment debtor's place of ~~abode and occupation, trade or profession~~ residence shall, for 10 years from the date of the entry thereof, be a lien on the real property (except the

homestead mentioned in s. 815.20) in the county where docketed, of every person against whom it is rendered and docketed, which the person has at the time of docketing or which the person acquires thereafter within ~~said the~~ 10 years. A judgment based upon a claim discharged in bankruptcy shall upon entry of the order of satisfaction or discharge cease to be and shall not thereafter become a lien on any real property of the discharged person then owned or thereafter acquired.

NOTE: The amendment of ss. 806.01 (1) (b), 806.11 (1) and 806.15 (1), stats., relates to certain information required to be entered in lien and judgment dockets. The amendments delete the requirement that the judgment debtor's occupation be listed in the lien or judgment docket. These statutes, as amended, will correspond with s. 806.10 (1) (a), stats., which was amended by 1983 Wisconsin Act 303 to delete the reference to occupation, trade or profession. The amendment of s. 806.15 (1), stats., applies retrospectively to April 27, 1984, the effective date of 1983 Wisconsin Act 303.

SECTION 11. **Nonstatutory provisions; council on uniformity of traffic citations and complaints.** (1) Except as provided in subsection (2), members of the uniform traffic citation and complaint committee under section 345.11 (3) of the statutes serving on the committee immediately prior to the effective date of this subsection shall serve as members of the council on uniformity of traffic citations and complaints under section 15.467 (4) of the statutes, as created by this act.

(2) The member of the uniform traffic citation and complaint committee designated under section 345.11 (3) (i) of the statutes serving on the committee immediately prior to the effective date of this subsection shall serve as a member of the council on uniformity of traffic citations and complaints under section 15.467 (4) of the statutes, as created by this act, until a new member is designated by the chairperson of the judicial conference.

NOTE: The current s. 345.11 (3), stats., establishes a uniform citation and complaint committee. This proposal replaces the committee structure with a statutory council. The proposal also provides that the member currently designated by the president of the Wisconsin traffic judges association would be replaced by a judicial conference member appointed by the chairperson of the conference. This membership change reflects the changes that have taken place in court organization and organization of the judicial conference since this statute was first enacted.

The bill also provides for a member of the council on uniformity of traffic citations and complaints to be appointed by the director of state courts. This change would allow for better liaison between the council and the director of state courts, which provides technical assistance to judges, clerks of court and staffs the Wisconsin court records management committee.

SECTION 12. **Effective dates.** (1) Except as provided in subsection (2), all sections of this act take effect on the day following publication.

(2) The treatment of section 806.15 (1) of the statutes takes effect retroactively to April 27, 1984.