

Chapter S-L 1

PROCEDURE AND PRACTICE

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Note: Chapter S-L 1 as it existed on December 31, 1975 was repealed and a new chapter S-L 1 was created effective January 1, 1976.

S-L 1.01 General provisions. (1) DEFINITIONS. In this chapter:

(a) "Code" means the Wisconsin Administrative Code.

(b) "Commissioner" means the commissioner of savings and loan or his authorized representative.

(c) "Days" mean calendar days computed under section 990.001 (4) of the statutes.

(d) "Statutes" mean the Wisconsin Statutes.

(2) COMMUNICATION ADDRESSED TO COMMISSIONER. All written communications, applications and documents may be mailed to or filed with the office of the commissioner.

Note: The address of the Office of Commissioner of Savings and Loan is Room 502, 131 West Wilson Street, Madison, Wisconsin 53702. Office hours are from 7:45 a.m. to 4:30 p.m., Monday to Friday except for holidays.

(3) FORM OF PLEADINGS. All pleadings and applications shall be filed with the commissioner in duplicate and shall be captioned "Before the Commissioner of Savings and Loan". Wherever practicable, all papers filed in connection with any hearing shall be typewritten on 8-½" by 11" paper.

(4) NOTICES. Hearing notices shall contain the date, time and location of the hearing, a short summary of the matter to be considered, and such other information as the commissioner may consider appropriate.

(5) SERVICE. Unless otherwise specified, all materials required under this chapter may be served by personal delivery or by mail, first class postage prepaid and properly addressed to the person to be served at his last known address. When notice is so mailed it shall be deemed to have been served when deposited in the U.S. mails.

(6) LOCATION OF HEARINGS. Unless otherwise required by law or ordered by the commissioner, all hearings conducted by the office shall be held at the office of commissioner of savings and loan at the address specified in sub. (2).

(7) HEARINGS OPEN TO THE PUBLIC. (a) Except as provided in par. (b), all hearings conducted by the office shall be open to the public.

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(b) Where the subject of the hearing is information that law requires the commissioner to keep confidential, that hearing or portion of a hearing may be closed to the public.

(8) **SUBPOENAS.** The commissioner may issue subpoenas as provided in ss. 215.02(17) and 885.01, Stats.

(9) **TRANSCRIPTS.** (a) A transcript of each public hearing conducted in connection with a matter constituting a contested case within the meaning of s. 227.01 of the statutes shall be made at the direction of the commissioner. A transcript may be made of other public proceedings before the commissioner, at the direction of the commissioner or upon request of an interested party establishing a reasonable need for a transcript of the proceeding.

(b) Any person desiring a copy of a transcript shall so indicate and shall pay the cost thereof. When the transcript is prepared upon request, the requestor shall also pay the cost of obtaining the original. However, if the commissioner determines that the cost of a transcript would result in an undue economic hardship to a person having a reasonable need for a transcript, a transcript or copy shall be provided at the office's expense.

(10) **EVIDENCE.** Rules of evidence are governed by s. 227.08 of the statutes.

(11) **PRE-HEARING CONFERENCES.** (a) Before any hearing the commissioner may direct the parties to appear for a conference to consider:

1. The clarification of issues.
2. The necessity or desirability of amendments to any application or pleadings.
3. The possibility of admitting facts or documents which will avoid unnecessary proof.
4. The limitation of the number of witnesses.
5. Such other matters as may aid in the equitable disposition of the proceeding.

(b) The commissioner may make a memorandum summarizing the action taken at the prehearing conference and limiting the issues to those not disposed of by admissions or agreements among the parties. The memorandum shall be stipulated to by the parties and shall be controlling on the subsequent course of the proceedings, unless modified at the hearing to prevent manifest injustice.

(12) **ADJOURNMENTS.** For good cause shown, the commissioner may adjourn a hearing to be reconvened at the discretion of the commissioner on 10 days' notice to the parties or at a time stipulated by the parties.

(13) **INFORMAL DISPOSITION OF CASES.** Unless precluded by law, the commissioner may make informal disposition of any contested case by stipulation, agreed settlement, consent order or default. If following a prehearing conference the commissioner determines that there are no material issues of fact, the commissioner may issue an appropriate order based on the undisputed facts.

(4) **THOSE DENIED ACCESS ENTITLED TO A WRITTEN EXPLANATION.** Any person who is denied access to records shall upon written request be entitled to a written explanation from the legal custodian indicating the reasons for the denial.

History: Cr. Register, October, 1976, No. 250, eff. 11-1-76.