



1995 ASSEMBLY BILL 432

June 6, 1995 - Introduced by Representatives CULLEN, HAHN, BAUMGART, BELL, BOCK, BLACK, BOYLE, KREUSER, MORRIS-TATUM, WIRCH, RUTKOWSKI and BALDWIN, cosponsored by Senators CHVALA and BURKE. Referred to Committee on Judiciary.

1 **AN ACT to amend** 165.26, 802.11 (4), 805.16 (1), 808.11 and 809.19 (8) (b) 1.; and
2 **to create** 227.46 (4m) of the statutes; **relating to:** the use of recycled paper in
3 legal briefs.

Analysis by the Legislative Reference Bureau

This bill requires that all legal briefs and appendices submitted to the state supreme court, the court of appeals and the circuit courts be printed on paper that contains at least 40% of its fiber content by weight from recycled paper, 10% of which is post-consumer recycled paper. The bill requires an agency involved in a contested administrative case to notify any party who is given the opportunity to submit a brief that the brief and appendices be printed on paper that contains at least 40% of its fiber content by weight from recycled paper, 10% of which is post-consumer recycled paper. The bill also requires the state printer to print the department of justice briefs and appendices for state cases on paper that contains at least 40% of its fiber content by weight from recycled paper, 10% of which is post-consumer recycled paper.

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:

4 **SECTION 1.** 165.26 of the statutes is amended to read:
5 **165.26 Department of justice may have cases printed.** In all state cases
6 to be argued in the supreme court by the department of justice, the department may
7 require the printing by the state printer, when necessary, of the briefs and

1 appendices of the department; and the account ~~therefor~~ shall be paid out of the state
2 treasury and charged to the appropriation in s. 20.455 (1) (d). Briefs and appendices
3 shall be printed on paper that contains at least 40% of its fiber content by weight from
4 recycled paper, 10% of which is post-consumer recycled paper.

5 **SECTION 2.** 227.46 (4m) of the statutes is created to read:

6 227.46 (4m) In any contested case, if the parties are afforded an opportunity
7 to present briefs to the officials who are to render the decision, the agency shall notify
8 each party who may submit a brief that the brief and appendices shall be printed on
9 paper that contains at least 40% of its fiber content by weight from recycled paper,
10 10% of which is post-consumer recycled paper.

11 **SECTION 3.** 802.11 (4) of the statutes is amended to read:

12 802.11 (4) PRETRIAL ORDER. The judge shall make an order which recites the
13 action taken with respect to the matters described in sub. (1) and which sets or
14 confirms the final trial date. The court shall inform each party who may submit a
15 brief that the brief and appendices shall be printed on paper that contains at least
16 40% of its fiber content by weight from recycled paper, 10% of which is post-consumer
17 recycled paper. The order when entered shall control the subsequent course of action,
18 unless modified thereafter on motion of a party or the court for good cause. If for any
19 reason, the action is not tried on the date set in the scheduling order or the pretrial
20 order, the judge shall, within 30 days after the date set in the scheduling order or
21 pretrial order, set another date for trial on the earliest available trial date.

22 **SECTION 4.** 805.16 (1) of the statutes is amended to read:

23 805.16 (1) Motions after verdict shall be filed and served within 20 days after
24 the verdict is rendered, unless the court, within 20 days after the verdict is rendered,
25 sets a longer time by an order specifying the dates for filing motions, briefs or other

1 documents. The court shall inform each party who may submit a brief that the brief
2 and appendices shall be printed on paper that contains at least 40% of its fiber
3 content by weight from recycled paper, 10% of which is post-consumer recycled
4 paper.

5 **SECTION 5.** 808.11 of the statutes is amended to read:

6 **808.11 Printing specifications.** Briefs and appendices in cases before the
7 supreme court shall be printed, typed, duplicated or reproduced clearly on paper of
8 permanent quality, and in conformity with such rules as the court may prescribe with
9 regard to regarding organization, binding, color of print, and size of print, paper and
10 margin. Briefs and appendices in cases before the supreme court, the court of
11 appeals and the circuit court shall be printed on paper that contains at least 40% of
12 its fiber content by weight from recycled paper, 10% of which is post-consumer
13 recycled paper.

14 **SECTION 6.** 809.19 (8) (b) 1. of the statutes is amended to read:

15 809.19 (8) (b) 1. Produced by a duplicating or copying process that produces a
16 clear, black image of the original on white paper. Briefs shall be produced by using
17 either a monospaced font or a proportional serif font. Briefs and appendices shall be
18 printed on paper that contains at least 40% of its fiber content by weight from
19 recycled paper, 10% of which is post-consumer recycled paper. Carbon copies may
20 not be filed.

21 **SECTION 7. Initial applicability.**

22 (1) This act first applies to briefs and appendices submitted to a court or
23 administrative agency on the effective date of this subsection.

24 **SECTION 8. Effective date.**

