

SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 10-11

In the matter of amendment of Supreme Court Rules Chapters 70 and 33 relating to administration of municipal courts.

FILED

APR 27, 2011

A. John Voelker
Acting Clerk of
Supreme Court
Madison, WI

On December 17, 2010, the Director of State Courts, on behalf of the Committee of Chief Judges, petitioned this court for an order amending Chapters 70 and 33 of the Supreme Court Rules relating to rules of judicial administration of municipal courts and continuing education for municipal judges. The amendments are intended to make the Supreme Court Rules consistent with recent legislative changes to Wis. Stat. chs. 755 and 800 (2009 Act 402, eff. Jan. 1, 2011). A public hearing was conducted on April 11, 2011. At the ensuing open administrative conference the court voted unanimously to adopt the petition and proposed amendments with some minor clarifications. Accordingly,

IT IS ORDERED that effective July 1, 2011, the Supreme Court Rules are amended as follows:

SECTION 1. 33.01 (4) of the Supreme Court Rules is created to read:

33.01 (4) "Municipal court clerk" means a court clerk appointed by a municipal judge pursuant to section 755.10 of the statutes.

SECTION 2. 33.04 (3) of the Supreme Court Rules is created to read:

33.04 (3) Each municipal judge shall designate and require a minimum of one municipal court clerk to attend the annual municipal court clerk's training seminar, developed by the judicial education office, at least once every 2 years.

SECTION 3. 70.19 (4) of the Supreme Court Rules is amended to read:

70.19 (4) The chief judge shall exercise administrative authority over the administration of judicial business of the municipal courts of the judicial administrative district. The chief judge shall assign municipal judges as specified in SCR 70.24.

SECTION 4. 70.20 of the Supreme Court Rules is renumbered 70.20 (1).

SECTION 5. 70.20 (2) of the Supreme Court Rules is created to read:

70.20 (2) The administrative authority of the chief judge extends to the municipal courts of the judicial administrative district. If a municipal court is located in more than one judicial administrative district, the chief judge whose district includes the county having the largest portion of the population served by the municipal court shall have administrative authority over that court, consistent with section 755.001 (2) of the statutes.

SECTION 6. 70.21 (15m) of the Supreme Court Rules is created to read:

70.21 (15m) Section 755.01(1): certification that a new municipal court meets the operational standards set forth in chapter 755 of the statutes.

SECTION 7. 70.21 (26) of the Supreme Court Rules is amended to read:

70.21 (26) Sections 48.29(1m), 345.315(1m), 799.205(2), 800.05(3), 800.05(5), 801.58(2), 938.29(1m) and 971.20(8): determination of substitution requests and reassignment of judges.

SECTION 8. 70.24 of the Supreme Court Rules is renumbered 70.24 (1).

SECTION 9. 70.24 (2) of the Supreme Court Rules is created to read:

70.24 (2) When making an assignment under sub (1), the chief judge by order may assign a municipal judge or a reserve municipal judge from outside the judicial administrative district. Before making the assignment of a reserve municipal judge, the chief judge shall consult with the chief judge of the reserve municipal judge's district.

IT IS FURTHER ORDERED that notice of the amendments to Chapters 70 and 33 of the Supreme Court Rules be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 27th day of April, 2011.

BY THE COURT:

A. John Voelker
Acting Clerk of Supreme Court

