



STATE SENATOR

Eric Wimberger

DISTRICT 2

Senate Committee on Judiciary and Public Safety
Re: Senate Bill 144- Reallocation of Judges in Court of Appeals
April 30, 2025

Thank you, Senator Wanggaard and committee members for hearing Senate Bill 144, which reallocates a judgeship from the District IV Court of Appeals to District III.

The Court of Appeals, which oversees appeals from circuit court decisions, is composed of 16 judges from four districts—headquartered in Milwaukee, Waukesha, Wausau, and Madison. The current breakdown of the court is 4 judges in Milwaukee (District I); 4 judges in Waukesha (District II); 3 judges in Wausau (District III); and 5 judges in Madison (District IV).

Since 2020, District III in Wausau has had the highest number of cases in the state, while District IV in Madison has had the fewest cases. This creates a backlog for the citizens of Northern Wisconsin, leading to a delay in having their appeals heard and decided upon by a judge.

Senate Bill 144 removes one appellate judge from District IV and adds one appellate judge to District III, meaning each appellate court district would have four judges. This would expedite the appeals process for District III, while also ensuring that all Wisconsinites get the same treatment under the law.

Additionally, Senate Bill 144 treats all current judges fairly by waiting until the next District IV judicial position expires on July 31, 2026 to take effect. After this date, the position will transfer to District III and an election will be called and held for the newly transferred position in Wausau.

This bill is a reasonable solution to ensure that all four Court of Appeals districts have the resources and personnel to effectively and efficiently serve all the people of Wisconsin. Thank you again for holding this hearing and I hope you'll join us in support of Senate Bill 144.

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CO-SPONSORSHIP MEMORANDUM

TO: All Legislators

FROM: Senator Eric Wimberger

Representative Ron Tusler

DATE: February 25, 2025

RE: Co-sponsorship of LRB-1307 & LRB-2305 relating to: eliminating a judgeship from District IV of the Court of Appeals and establishing an additional judgeship for District III of the Court of Appeals.

DEADLINE: Tuesday, March 11th @ NOON

We have a limited number of appellate judges reviewing hundreds of cases in Wisconsin. These judges work in teams separated geographically into 4 districts. Currently, we have four judges in District I (Milwaukee), four judges in District II (Eastern WI), three judges in District III (Northern WI), and five judges in District IV (Central & SW WI). District III has more cases per judge than any of the other districts, while District IV has the least, despite having a similar amount of cases to District I & District II.

This bill would remove one appellate judge from District IV and add one appellate judge to District III, meaning each appellate court district would have four judges.

This bill fairly treats all individual judges involved. A District IV appellate judge position will expire on July 31st, 2026. This bill would transfer this judicial position, creating a new identical position in District III and call for an election after July 31st, 2026. Thus, this will have no effect on the number of judicial positions in Wisconsin and a negligible financial effect.

Wisconsin Appellate Court Districts				
Average Caseload per Judge				
Year	District 1 (4 Judges)	District 2 (4 Judges)	District 3 (3 Judges)	District 4 (5 Judges)
2020	129	142	176	90
2021	143	145	163	103
2022	123.8	142.8	165	111
2023	141	168	151	134
2024	161.75	169	181.6	132.2

To be added as a co-sponsor of this legislation, please reply to this email or contact Sen. Wimberger's office at 6-5670 or Rep. Tusler's office at 9103 by Tuesday, March 11th @ Noon. You will be added to both the Assembly and Senate versions unless requested otherwise.

Analysis by the Legislative Reference Bureau

This bill reduces the number of judgeships in district IV of the court of appeals upon the expiration of the term of the judge whose current judicial term ends July 31, 2026. The bill also establishes an additional judgeship in district III of the court of appeals, effective beginning August 1, 2026. Under the bill, as of August 1, 2026, each of the districts of the court of appeals would have four judges. The bill provides that the initial election for the fourth judge for district III of the court of appeals will be held at the spring election of 2026 for a term beginning on August 1, 2026, and ending on July 31, 2032.



RON TUSLER

STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

Testimony in Support of Senate Bill 144
Senate Committee on Judiciary & Public Safety
April 30, 2025

Chairman Waaggaard, and Members of the Senate Committee on Judiciary & Public Safety,
Thank you for hearing testimony on Senate Bill 144, which would relocate an appellate court judge from District IV to District III.

The strength of Wisconsin's judicial system relies on its fairness, not just for litigants, but also for the judges entrusted with administering justice. Today, that balance is being strained. In our current appellate court structure, judges across the four districts face dramatically different workloads, despite a relatively similar number of cases being filed across the state.

In particular, District III, covering Northern Wisconsin, consistently faces the highest average caseload per judge. Over the past five years, each District III judge has handled substantially more cases than their colleagues elsewhere. In 2024, the average caseload for a District III judge is **181.6 cases**, nearly **50 more cases per judge** (see page 2) than in District IV, even though the overall number of cases is comparable. This gap is not new; it has persisted year after year, and it threatens both the quality and timeliness of appellate decisions.

This bill proposes a simple, responsible, and fair solution: realign our judicial resources to match the need. Specifically, when a judicial position in District IV naturally expires in 2026, that seat would not be eliminated. Instead, it would be **relocated** to District III, rebalancing the number of judges in each district, ensuring each district has an equal number of judges.

This realignment honors the hard work of our judges, respects the taxpayers of Wisconsin by avoiding unnecessary financial impact, and most importantly, strengthens public confidence in the efficiency and fairness of our appeals process. Cases across Wisconsin deserve equal attention and timely resolution, no matter where they are filed.

In short, this bill isn't just about balancing numbers on a page. It's about delivering on our promise of justice: fair, prompt, and accessible for every Wisconsinite, no matter their location.

I urge you to support this needed reform. I am happy to answer any questions you may have.



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STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

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Source: <https://www.wicourts.gov/other/appeals/statistical.jsp>

Wisconsin Appellate Court Districts

