

1973 Assembly Bill 213

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CHAPTER 223, Laws of 1973

AN ACT to amend 59.44 (1) and (2) of the statutes, relating to appointment of substitute and assistant district attorneys.

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

59.44 (1) and (2) of the statutes are amended to read:

59.44 (1) When there is no district attorney for the county, or he is absent from the county, or has acted as counsel or attorney for a party accused in relation to the matter of which the accused stands charged and for which he is to be tried, or is near of kin to the party to be tried on a criminal charge, or is unable to attend to his duties, or is serving in the armed forces of the United States, or if the district attorney stands charged with a crime and the governor has not acted under s. 17.11, ~~the circuit~~ any judge of a court of record, by an order entered in the ~~minutes~~ record stating the cause therefor, may appoint some suitable person to perform, for the time being, or for the trial of such accused person, the duties of such district attorney, and the person so appointed shall have all the powers of the district attorney while so acting.

(2) Any judge of a court of record may upon application of the district attorney, in the same manner, appoint counsel to assist the district attorney, in the prosecution of persons charged with a crime and in grand jury and John Doe proceedings and in any other investigations.
