

JUDICIAL COUNCIL

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY11 Adjusted Base	FY12 Recommended	% Change Over FY11	FY13 Recommended	% Change Over FY12
GPR	127,600	127,700	0.1	127,700	0.0
TOTAL	127,600	127,700	0.1	127,700	0.0

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY11 Adjusted Base	FY12 Recommended	FTE Change From FY11	FY13 Recommended	FTE Change From FY12
GPR	1.00	1.00	0.00	1.00	0.00
TOTAL	1.00	1.00	0.00	1.00	0.00

AGENCY DESCRIPTION

The council consists of 21 members as follows: a Supreme Court justice designated by the Supreme Court; a Court of Appeals judge designated by the Court of Appeals; the director of state courts or his or her designee; four Circuit Court judges selected by the Judicial Conference; the Attorney General or his or her designee; the chief of the Legislative Reference Bureau or his or her designee; the deans of the University of Wisconsin and Marquette University law schools or a designated member of the respective law school faculties; the state public defender or his or her designee; the president-elect of the State Bar of Wisconsin or a designated member of the Board of Governors of the State Bar; three members of the State Bar selected by the State Bar; one district attorney appointed by the Governor; and two citizens at large appointed by the Governor. Under 2007 Wisconsin Act 20, the Judicial Council regained independence from the Judicial Commission and permanent staff funding for a full-time staff attorney.

MISSION

The mission of the council is to study and make recommendations relating to court pleadings, practices and procedures; and organization, jurisdiction and methods of administration and operation of Wisconsin courts.

PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES

Program 1: Advisory Services to the Courts and the Legislature

Goal: Improve the efficiency and effectiveness of the Wisconsin court system.

Objective/Activity: The council studies the rules of pleading, practice and procedure and advises the Supreme Court on changes that will simplify procedures and promote efficiency. The council studies court administration throughout the state, and can receive, investigate and recommend proposed changes to the administration of justice in Wisconsin. The council is to be aware of judicial decisions and proposed

legislation that would impact courts. The council is also empowered to recommend to the Supreme Court, Governor and Legislature any changes in the organization, jurisdiction, operation and business methods of the courts that would result in a more effective and cost-efficient court system.

PERFORMANCE MEASURES

2009 AND 2010 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2009	Actual 2009 ¹	Goal 2010	Actual 2010
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Work with the Legislative Reference Bureau to complete a draft bill	Completed draft bills for five of the eight chapters under the comprehensive revision; studied ways to improve the procedures and rules governing the use of presentence investigation reports before and after sentencing	Provide draft bill to the Legislature for introduction	Completed draft bills for the remaining three chapters of the comprehensive revision; prepared draft recommendations to the procedures and rules governing the use of presentence investigation reports before and after sentencing
1.	Review and research amendments to the Rules of Evidence.	Begin identifying rules that are inconsistent with current practice	Identified thirteen evidentiary rules for further study and possible revision to conform to current practice	Begin drafting revisions to rules that have been identified as inconsistent with current practice	Completed study of four of the thirteen evidentiary rules identified for further study and drafted proposed revisions to reflect current case law and maintain cohesion and consistency with modern practice

Prog. No.	Performance Measure	Goal 2009	Actual 2009 ¹	Goal 2010	Actual 2010
1.	Timely response to requests to review Supreme Court rules.	Provide response regarding request to review compensation of court-appointed attorneys	Studied whether the compensation rate of court-appointed attorneys should be reviewed by the Supreme Court; no formal recommendation made due to the filing of a Supreme Court petition by other organizations to increase rates, as well as the introduction of legislation to increase public defender rates	Provide recommendations regarding Supreme Court rules changes	In April 2010, the Supreme Court approved rule change petition no. 09-01 drafted by the Judicial Council to modify the Wisconsin rules of discovery to take into account the discovery of electronically stored information; the court also approved rule change petition no. 09-12 drafted by the Judicial Council to protect the confidentiality of communications made during mediation

Note: Based on fiscal year.

¹In January 2009, the Supreme Court approved rule change Petition No. 08-02, drafted by the Judicial Council to permit the citation of unpublished appellate court decisions. In June 2009, Wisconsin Acts 25, 26 and 27 were signed into law, making various changes to the rules of appellate procedure. All three acts originated as bills introduced at the request of the Judicial Council and drafted with its assistance.

2011, 2012 AND 2013 GOALS

Prog. No.	Performance Measure	Goal 2011	Goal 2012	Goal 2013
1.	Review and draft recommended amendments to the Code of Criminal Procedure.		Provide draft bill regarding procedures and rules governing the use of presentence investigation reports before and after sentencing to the Legislature for introduction	
1.	Review and research amendments to the Rules of Evidence.	Begin working with the Legislative Reference Bureau to draft bill containing recommended amendments	Continue working with the Legislative Reference Bureau to draft bill containing recommended amendments to the rules of evidence and begin drafting Supreme Court rule change petition to amend the rules of evidence	Provide draft bill to the Legislature for introduction and file Supreme Court rule change petition to amend the rules of evidence
1.	Timely response to requests to review Supreme Court rules.	Provide recommendations regarding Supreme Court rules changes	Provide recommendations regarding Supreme Court rules changes, including procedural rules governing the ghostwriting of legal documents	Provide recommendations regarding Supreme Court rules changes

Note: Based on fiscal year.

JUDICIAL COUNCIL

GOVERNOR'S BUDGET RECOMMENDATIONS

RECOMMENDATIONS

1. Increase Employee Contributions to Pension and Health Insurance
2. Budget Efficiencies
3. Standard Budget Adjustments

Table 1
Department Budget Summary by Funding Source (in thousands of dollars)

	ACTUAL FY10	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY12	FY13	FY12	FY13
GENERAL PURPOSE REVENUE	\$111.6	\$127.6	\$136.8	\$136.8	\$127.7	\$127.7
State Operations	111.6	127.6	136.8	136.8	127.7	127.7
TOTALS - ANNUAL	\$111.6	\$127.6	\$136.8	\$136.8	\$127.7	\$127.7
State Operations	111.6	127.6	136.8	136.8	127.7	127.7

Table 2
Department Position Summary by Program (in FTE positions) (4)

	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY12	FY13	FY12	FY13
GENERAL PURPOSE REVENUE	1.00	1.00	1.00	1.00	1.00
TOTALS - ANNUAL	1.00	1.00	1.00	1.00	1.00

(4) All positions are State Operations unless otherwise specified

**Table 3
Department Budget Summary by Program (in thousands of dollars)**

	ACTUAL FY10	ADJUSTED BASE FY11	AGENCY REQUEST FY12 FY13		GOVERNOR'S RECOMMENDATION FY12 FY13	
1. Advisory services to the courts and the legislature	\$111.6	\$127.6	\$136.8	\$136.8	\$127.7	\$127.7
TOTALS	\$111.6	\$127.6	\$136.8	\$136.8	\$127.7	\$127.7

**Table 4
Department Position Summary by Program (in FTE positions) (4)**

	ADJUSTED BASE FY11	AGENCY REQUEST FY12 FY13		GOVERNOR'S RECOMMENDATION FY12 FY13	
1. Advisory services to the courts and the legislature	1.00	1.00	1.00	1.00	1.00
TOTALS	1.00	1.00	1.00	1.00	1.00

(4) All positions are State Operations unless otherwise specified

1. Increase Employee Contributions to Pension and Health Insurance

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-4,800	0.00	-4,800	0.00
TOTAL	0	0.00	0	0.00	-4,800	0.00	-4,800	0.00

The Governor recommends increasing state employee contributions towards pension and health insurance costs. Employees will generally pay 50 percent of the total required retirement contribution, which for calendar year 2011 equals 5.8 percent of salary. The Governor further recommends increasing employee contributions for health insurance from approximately 6 percent of the premium to 12.6 percent of the premium. These modifications are necessary to bring state employee compensation in line with private sector employment and reduce compensation costs.

2. Budget Efficiencies

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-4,300	0.00	-4,300	0.00
TOTAL	0	0.00	0	0.00	-4,300	0.00	-4,300	0.00

The Governor recommends reducing funding, excluding salary and fringe benefits, in most GPR and PR appropriations by 10 percent to create additional efficiencies and balance the budget.

3. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	9,200	0.00	9,200	0.00	9,200	0.00	9,200	0.00
TOTAL	9,200	0.00	9,200	0.00	9,200	0.00	9,200	0.00

The Governor recommends adjusting the council's base budget for: (a) full funding of continuing position salaries and fringe benefits (\$8,900 in each year); and (b) full funding of lease and directed moves costs (\$300 in each year).