

## JUDICIAL COUNCIL

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY13 Adjusted Base	FY14 Recommended	% Change Over FY13	FY15 Recommended	% Change Over FY14
GPR	69,700	66,500	-4.6	66,800	0.5
TOTAL	69,700	66,500	-4.6	66,800	0.5

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY13 Adjusted Base	FY14 Recommended	FTE Change Over FY13	FY15 Recommended	FTE Change Over FY14
GPR	0.50	0.50	0.00	0.50	0.00
PR-S	0.50	0.50	0.00	0.50	0.00
TOTAL	1.00	1.00	0.00	1.00	0.00

### AGENCY DESCRIPTION

The council is authorized to advise the Supreme Court, the Governor and the Legislature on any matter affecting the administration of justice in Wisconsin, and it may recommend legislation to change the procedure, jurisdiction or organization of the courts. The council studies the rules of pleading, practice and procedure and advises the Supreme Court about changes that will simplify procedure and promote efficiency.

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.

### 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**

**2011 AND 2012 GOALS AND ACTUALS**

<b>Prog. No.</b>	<b>Performance Measure</b>	<b>Goal 2011</b>	<b>Actual 2011</b>	<b>Goal 2012</b>	<b>Actual 2012</b>
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	No set goal	Worked with the Legislative Reference Bureau (LRB) to amend the comprehensive draft bill prepared by the council containing revisions to eight chapters	Provide draft bill regarding procedures and rules governing the use of presentence investigation reports before and after sentencing to the Legislature for introduction	Finalized comprehensive draft bill and began meeting with stakeholders regarding introduction  Bill regarding procedures and rules governing the use of presentence investigation reports before and after sentencing is ready for introduction

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<b>Prog. No.</b>	<b>Performance Measure</b>	<b>Goal 2011</b>	<b>Actual 2011</b>	<b>Goal 2012</b>	<b>Actual 2012</b>
1.	Review and research amendments to the Rules of Evidence.	Begin working with LRB to draft bill containing recommended amendments	Completed study of 6 of the 13 evidentiary rules identified for further study and drafted recommended revisions to reflect current case law and maintain cohesion and consistency with modern practice	Continue working with LRB 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	Completed study of 8 of the 13 evidentiary rules identified for further study and drafted recommended revisions to reflect current case law and maintain cohesion and consistency with modern practice  Identified 2 additional rules for further study
1.	Timely response to requests to review Supreme Court rules.	Provide recommendations regarding Supreme Court rules changes	New rules drafted by the council and adopted by the Supreme Court regarding discovery of electronically stored information became effective January 1, 2011  At Supreme Court's urging, studied and drafted rules to address inadvertent disclosure of privileged information	Provide recommendations regarding Supreme Court rules changes, including procedural rules governing the ghostwriting of legal documents	Studied and drafted proposal to protect the identity of victims in appellate documents publically available via the Internet  Filed Supreme Court rule change petition 12-03 to address inadvertent disclosure of privileged information

Note: Based on fiscal year.

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**2013, 2014 AND 2015 GOALS**

<b>Prog. No.</b>	<b>Performance Measure</b>	<b>Goal 2013<sup>1</sup></b>	<b>Goal 2014</b>	<b>Goal 2015</b>
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Study and draft recommendations concerning the proper procedures for issuing a warrant, executing that warrant and other procedural concerns related to police searches using GPS technology	Begin working with LRB to draft bill containing recommended amendments related to police searches using GPS technology  Study and draft recommendations concerning plea withdrawal	Provide draft bill addressing procedural concerns related to police searches using GPS technology to the Legislature for introduction  Begin working with LRB to draft bill containing amendments regarding plea withdrawal
1.	Review and research amendments to the Rules of Evidence.	Continue to study and draft recommended revisions to reflect current case law and maintain cohesion and consistency with modern practice	Begin working with LRB to draft bill containing recommended amendments and begin drafting a 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.	Review and research amendments to the Rules of Civil Procedure. <sup>2</sup>	Begin comprehensive code amendment process by identifying rules that are inconsistent with current practice or case law	Begin studying rules that have been identified as inconsistent with current practice or case law and drafting recommended amendments	Continue studying rules that have been identified as inconsistent with current practice or case law and drafting recommended amendments
1.	Timely response to requests to review Supreme Court rules.	Draft and file Supreme Court rule change petition to protect the identity of victims in appellate documents publically available via the Internet	Study and recommend amendments to promote greater consistency and completeness of the record on appeal	Draft and file Supreme Court rule change petition to promote greater consistency and completeness of the record on appeal

Note: Based on fiscal year.

<sup>1</sup>Goals for 2013 have been modified.

<sup>2</sup>New performance measure for 2013.

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**GOVERNOR'S BUDGET RECOMMENDATIONS**

**RECOMMENDATIONS**

1. Standard Budget Adjustments

**ITEMS NOT APPROVED**

2. Restore Funding and Position

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

	ACTUAL FY12	ADJUSTED BASE FY13	AGENCY REQUEST FY14	AGENCY REQUEST FY15	GOVERNOR'S RECOMMENDATION FY14	GOVERNOR'S RECOMMENDATION FY15
GENERAL PURPOSE REVENUE	\$68.0	\$69.7	\$124.5	\$124.8	\$66.5	\$66.8
State Operations	68.0	69.7	124.5	124.8	66.5	66.8
PROGRAM REVENUE (2)	\$46.1	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
State Operations	46.1	0.0	0.0	0.0	0.0	0.0
TOTALS - ANNUAL	\$114.1	\$69.7	\$124.5	\$124.8	\$66.5	\$66.8
State Operations	114.1	69.7	124.5	124.8	66.5	66.8

(2) Includes Program Revenue-Service and Program Revenue-Other

**Table 2  
Department Position Summary by Funding Source (in FTE positions) (4)**

	ADJUSTED BASE FY13	AGENCY REQUEST FY14	AGENCY REQUEST FY15	GOVERNOR'S RECOMMENDATION FY14	GOVERNOR'S RECOMMENDATION FY15
GENERAL PURPOSE REVENUE	0.50	1.00	1.00	0.50	0.50
PROGRAM REVENUE (2)	0.50	0.00	0.00	0.50	0.50
TOTALS - ANNUAL	1.00	1.00	1.00	1.00	1.00

(2) Includes Program Revenue-Service and Program Revenue-Other

(4) All positions are State Operations unless otherwise specified

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

	ACTUAL FY12	ADJUSTED BASE FY13	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY14	FY15	FY14	FY15
1. Advisory services to the courts and the legislature	\$114.1	\$69.7	\$124.5	\$124.8	\$66.5	\$66.8
<b>TOTALS</b>	\$114.1	\$69.7	\$124.5	\$124.8	\$66.5	\$66.8

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

	ADJUSTED BASE FY13	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY14	FY15	FY14	FY15
1. Advisory services to the courts and the legislature	1.00	1.00	1.00	1.00	1.00
<b>TOTALS</b>	1.00	1.00	1.00	1.00	1.00

(4) All positions are State Operations unless otherwise specified

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### 1. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendations			
	FY14		FY15		FY14		FY15	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	-3,200	0.00	-2,900	0.00	-3,200	0.00	-2,900	0.00
TOTAL	-3,200	0.00	-2,900	0.00	-3,200	0.00	-2,900	0.00

The Governor recommends adjusting the council's base budget for: (a) full funding of continuing position salaries and fringe benefits (-\$3,700 in each year); and (b) full funding of lease and directed moves costs (\$500 in FY14 and \$800 in FY15).

### ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the Judicial Council.

Decision Item	Source of Funds	FY14		FY15	
		Dollars	Positions	Dollars	Positions
2. Restore Funding and Position	GPR	58,000	0.50	58,000	0.50
	PR-S	0	-0.50	0	-0.50
TOTAL OF ITEMS NOT APPROVED	GPR	58,000	0.50	58,000	0.50
	PR-S	0	-0.50	0	-0.50