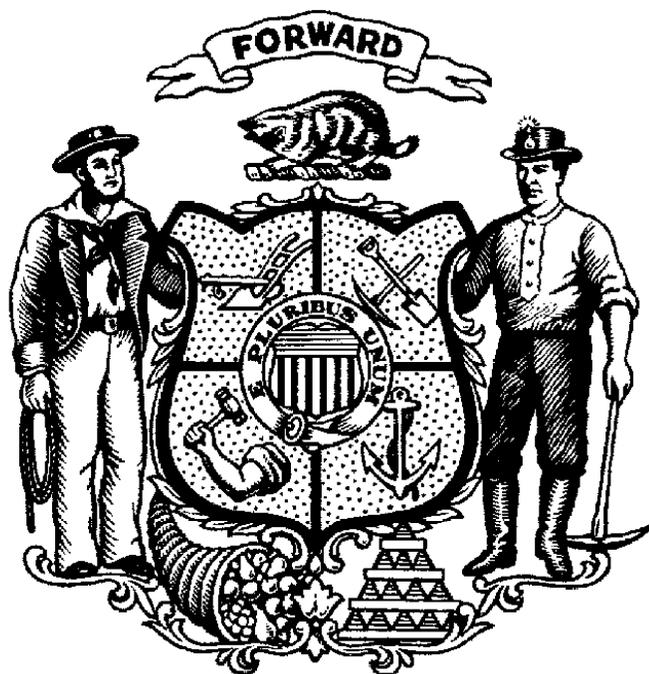


State of Wisconsin

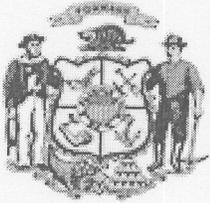
Judicial Council



Agency Budget Request
2017 – 2019 Biennium
September 15, 2016

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STATE OF WISCONSIN JUDICIAL COUNCIL

Suite 822, Tenney Building, 110 East Main Street, Madison, WI 53703-3328 (608) 261-8290

September 15, 2016

Michael Heifetz, Director
Division of Executive Budget and Finance
101 East Wilson Street, 10th Floor
Madison, Wisconsin 53703

Dear Mr. Heifetz:

Enclosed please find the Judicial Council's 2017-2019 biennial budget request. This budget contains standard budget adjustments.

If you have any questions or would like any additional information, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "April M. Southwick".

April M. Southwick, Attorney
Wisconsin Judicial Council

Enclosures

cc: Tom Bertz, Chair (w/ encl.)

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 and the Legislature 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

2015 AND 2016 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Work with Legislature to reintroduce bill drafted by the council containing comprehensive revisions to eight chapters of the Criminal Procedure Code.	The bill was introduced as 2015 Assembly Bill 90 and Senate Bill 82.	Study and draft recommendations concerning the preliminary examination process.	Based on previous study of the current process, testimony received at a lengthy public hearing, and the committee's previous recommendation issued in 2014, no further action taken.
1.	Review and research amendments to the Rules of Evidence.	Continue drafting bill and Supreme Court rule change petition to amend six rules of evidence.	Continued drafting proposed amendments, and determined that all amendments were appropriate for Supreme Court rule change petition.	Provide draft bill to the Legislature for introduction and file Supreme Court rule change petition to amend the rules of evidence.	Filed Supreme Court rule change petition nos. 16-01 and 16-02 to amend the rules of evidence. (No bill needed to advance changes at this time.)

Prog. No.	Performance Measure	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Review and research amendments to the Rules of Civil Procedure.	Continue studying rules that have been identified as inconsistent with current practice or case law and drafting recommended amendment.	Studied the Uniform Interstate Depositions and Discovery Act and drafted a proposed rule based on the uniform act; filed Supreme Court rule change petition; rule adopted by the Supreme Court, effective January 1, 2016.	Draft amendments to s. 803.08, Wisconsin Statutes, class action statute.	Drafted proposed amendment to s. 803.08, Wisconsin Statutes, class action statute, and circulated draft for comments from potentially interested parties.

Prog. No.	Performance Measure	Goal 2015	Actual 2015	Goal 2016	Actual 2016
1.	Timely response to requests to review Supreme Court rules.	Draft and file Supreme Court rule change petition to promote greater consistency and completeness of the record on appeal.	Continue drafting rule changes to promote greater consistency and completeness of the record on appeal. Expand scope of project to include size, number, and timing of briefs in multiparty appellate cases.	Provide recommendations regarding Supreme Court rules changes.	Issued recommendations on s. 809.62, conditions of grant of review, and s. 808.075(4), bifurcated cases, Wisconsin Statutes. Draft rule changes to promote greater consistency and completeness of the record on appeal and size, number, and timing of briefs in multiparty appellate cases circulated for comments from potentially interested parties.

Note: Based on fiscal year.

2017, 2018 AND 2019 GOALS

Prog. No.	Performance Measure	Goal 2017	Goal 2018	Goal 2019
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Study issues related to discovery rules in criminal cases.	Draft recommendations to update discovery rules in criminal cases.	Draft and file Supreme Court rule change petition to update discovery provisions in criminal cases.

Prog. No.	Performance Measure	Goal 2017	Goal 2018	Goal 2019
1.	Review and research amendments to the Rules of Evidence.	Study possible amendments to address duty to preserve evidence in civil cases; study codification of expert witness privilege.	Draft and file a Supreme Court petition to address expert witness privilege.	Draft and file a Supreme Court petition to update rule regarding duty to preserve evidence in civil cases.
1.	Review and research amendments to the Rules of Civil Procedure.	Draft recommended amendments to s. 885.03, Wisconsin Statutes, service of subpoena. Draft and file Supreme Court rule change petition to amend s. 803.08, Wisconsin Statutes, class action statute.	Study possible amendments to s. 804.01(2)(d), Wisconsin Statutes, trial preparation: experts to improve efficiencies and decrease litigation costs.	Draft and file Supreme Court rule change petition to amend s. 804.01(2)(d), Wisconsin Statutes, trial preparation: experts.
1.	Review and research amendments to the Rules of Appellate Procedure.	Work with Legislature to introduce bill drafted by the council reorganizing the procedural rules for prisoner challenges to agency decisions to make the rules easier to locate and understand	Study and draft recommendations concerning substitution or withdrawal of counsel in appellate cases	Draft and file Supreme Court rule change petition to adopt a rule regarding substitution or withdrawal of counsel in appellate cases
1.	Timely response to requests to review Supreme Court rules.	Provide recommendations regarding Supreme Court rules changes.	Provide recommendations regarding Supreme Court rules changes.	Provide recommendations regarding Supreme Court rules changes.

Note: Based on fiscal year.

**Wisconsin Judicial Council
Organization Chart
110 East Main Street, Suite 822
Madison, Wisconsin 53703-3328**

Members of the Council		Staff
Thomas W. Bertz, Chair Attorney at Law APPT: State Bar	Hon. Gerald P. Ptacek Racine County Circuit Court APPT: Judicial Conference	April M. Southwick Attorney at Law
Hon. Brian W. Blanchard, Vice Chair Court of Appeals - District IV APPT: Court of Appeals	Thomas L. Shriner Attorney & Adjunct Prof. of Law APPT: Dean, Marquette Law School	
Sarah Walkenhorst Barber Drafting Attorney APPT: Legislative Reference Bureau	Assist. Dist. Atty. Chuck M. Stertz Outagamie County APPT: State Bar President-Elect	
Sherry D. Coley Attorney at Law APPT: State Bar	Hon. Robert P. Van De Hey Grant County Circuit Court APPT: Judicial Conference	
Hon. Michael R. Fitzpatrick Rock County Circuit Court APPT: Judicial Conference	Hon. Jeffrey A. Wagner Milwaukee County Circuit Court APPT: Judicial Conference	
William C. Gleisner Attorney at Law APPT: State Bar	Senator Van H. Wanggaard Senate Judiciary Committee Chair APPT: Legislature Designee	
District Attorney Christian Gossett Winnebago County APPT: Governor's DA Appointment	Greg Weber Assistant Attorney General APPT: Attorney General Designee	
Devon M. Lee Office of the State Public Defender APPT: State Public Defender	Prof. Steven Wright Univ. of Wisc. Law School APPT: Dean, UW Law School	
J. Denis Moran Director of State Courts APPT: Director of State Courts	Hon. Annette Kingsland Ziegler Wisconsin Supreme Court APPT: Supreme Court	
Dennis Myers Citizen APPT: Governor's Appointment		
Representative Jim Ott Assembly Judiciary Committee Chair APPT: Legislature Designee		
Benjamin J. Pliskie Attorney at Law APPT: Governor's Appointment		

Agency Total by Fund Source

Judicial Council

1719 Biennial Budget

		ANNUAL SUMMARY					BIENNIAL SUMMARY				
Source of Funds		Prior Year Total	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
GPR	S	\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
Total		\$0	\$0	\$0	\$0	0.00	0.00	\$0	\$0	\$0	
PR	S	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.8%
Total		\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.8%
Grand Total		\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	

Agency Total by Program

670 Judicial Council

1719 Biennial Budget

Source of Funds	ANNUAL SUMMARY						BIENNIAL SUMMARY			
	Prior Year Actual	Adjusted Base	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE	Base Year Doubled (BYD)	Biennial Request	Change From (BYD)	Change From BYD %
01 ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE										
Non Federal										
PR	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
S	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
Total - Non Federal	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
S	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
PGM 01 Total	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
PR	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
S	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
TOTAL 01	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
S	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%
Agency Total	\$0	\$111,400	\$114,400	\$114,600	1.00	1.00	\$222,800	\$229,000	\$6,200	2.78%

Agency Total by Decision Item

Judicial Council

1719 Biennial Budget

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	\$111,400	\$111,400	1.00	1.00
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$3,600	\$3,600	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	(\$600)	(\$400)	0.00	0.00
TOTAL	\$114,400	\$114,600	1.00	1.00

Program Revenue

1719 Biennial Budget

	CODES	TITLES
DEPARTMENT	670	Judicial Council
PROGRAM	01	Advisory services to the courts and the legislature
SUBPROGRAM		
NUMERIC APPROPRIATION	30	Dir state crts and law library

Revenue and Expenditures	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$0	\$0	\$0	\$0
	\$120,100	\$111,400	\$116,500	\$119,000
Total Revenue	\$120,100	\$111,400	\$116,500	\$119,000
Expenditures	\$120,100	\$111,400	\$0	\$0
2000 Adjusted Base Funding Level	\$0	\$0	\$111,400	\$111,400
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	\$0	\$0	\$3,600	\$3,600
3010 Full Funding of Lease and Directed Moves Costs	\$0	\$0	(\$600)	(\$400)
Compensation Reserve	\$0	\$0	\$1,400	\$2,800
Health Insurance Reserves	\$0	\$0	\$700	\$1,600
Total Expenditures	\$120,100	\$111,400	\$116,500	\$119,000
Closing Balance	\$0	\$0	\$0	\$0

Decision Item (DIN) - 2000

Decision Item (DIN) Title - Adjusted Base Funding Level

NARRATIVE

Adjusted Base Funding Level

Decision Item by Line

1719 Biennial Budget

	CODES	TITLES
DEPARTMENT	670	Judicial Council
	CODES	TITLES
DECISION ITEM	2000	Adjusted Base Funding Level

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$59,600	\$59,600
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$29,200	\$29,200
06	Supplies and Services	\$22,600	\$22,600
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$111,400	\$111,400
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	1.00	1.00

Decision Item by Numeric

Judicial Council

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	2000	Adjusted Base Funding Level			
01	Advisory services to the courts and the legislature				
	01 General program operations	\$0	\$0	0.00	0.00
	30 Dir state crts and law library	\$111,400	\$111,400	1.00	1.00
	Advisory services to the courts and the legislature SubTotal	\$111,400	\$111,400	1.00	1.00
	Adjusted Base Funding Level SubTotal	\$111,400	\$111,400	1.00	1.00
	Agency Total	\$111,400	\$111,400	1.00	1.00

Decision Item by Fund Source

Judicial Council

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	2000	Adjusted Base Funding Level				
	GPR	S	\$0	\$0	0.00	0.00
	PR	S	\$111,400	\$111,400	1.00	1.00
	Total		\$111,400	\$111,400	1.00	1.00
Agency Total			\$111,400	\$111,400	1.00	1.00

Decision Item (DIN) - 3003

Decision Item (DIN) Title - Full Funding of Continuing Position Salaries and Fringe Benefits

NARRATIVE

Standard Budget Adjustment - Full Funding of Continuing Position Salaries and Fringe Benefits

Decision Item by Line

1719 Biennial Budget

	CODES	TITLES
DEPARTMENT	670	Judicial Council
	CODES	TITLES
DECISION ITEM	3003	Full Funding of Continuing Position Salaries and Fringe Benefits

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$3,600	\$3,600
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	\$3,600	\$3,600
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Judicial Council

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3003	Full Funding of Continuing Position Salaries and Fringe Benefits			
01	Advisory services to the courts and the legislature				
	30 Dir state crts and law library	\$3,600	\$3,600	0.00	0.00
	Advisory services to the courts and the legislature SubTotal	\$3,600	\$3,600	0.00	0.00
	Full Funding of Continuing Position Salaries and Fringe Benefits SubTotal	\$3,600	\$3,600	0.00	0.00
	Agency Total	\$3,600	\$3,600	0.00	0.00

Decision Item by Fund Source

Judicial Council

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3003	Full Funding of Continuing Position Salaries and Fringe Benefits				
	PR	S	\$3,600	\$3,600	0.00	0.00
	Total		\$3,600	\$3,600	0.00	0.00
Agency Total			\$3,600	\$3,600	0.00	0.00

Decision Item (DIN) - 3010

Decision Item (DIN) Title - Full Funding of Lease and Directed Moves Costs

NARRATIVE

Standard Budget Adjustment - Full Funding of Lease and Directed Moves Costs

Decision Item by Line

1719 Biennial Budget

	CODES	TITLES
DEPARTMENT	670	Judicial Council
	CODES	TITLES
DECISION ITEM	3010	Full Funding of Lease and Directed Moves Costs

Expenditure items		1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$0	\$0
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$0	\$0
06	Supplies and Services	(\$600)	(\$400)
07	Permanent Property	\$0	\$0
08	Unalloted Reserve	\$0	\$0
09	Aids to Individuals Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$0	\$0
12	Debt Service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	Total Cost	(\$600)	(\$400)
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	0.00	0.00

Decision Item by Numeric

Judicial Council

Program	Decision Item/Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
	3010	Full Funding of Lease and Directed Moves Costs			
01	Advisory services to the courts and the legislature				
	30 Dir state crts and law library	(\$600)	(\$400)	0.00	0.00
	Advisory services to the courts and the legislature SubTotal	(\$600)	(\$400)	0.00	0.00
	Full Funding of Lease and Directed Moves Costs SubTotal	(\$600)	(\$400)	0.00	0.00
	Agency Total	(\$600)	(\$400)	0.00	0.00

Decision Item by Fund Source

Judicial Council

	Source of Funds		1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
Decision Item	3010	Full Funding of Lease and Directed Moves Costs				
	PR	S	(\$600)	(\$400)	0.00	0.00
	Total		(\$600)	(\$400)	0.00	0.00
Agency Total			(\$600)	(\$400)	0.00	0.00