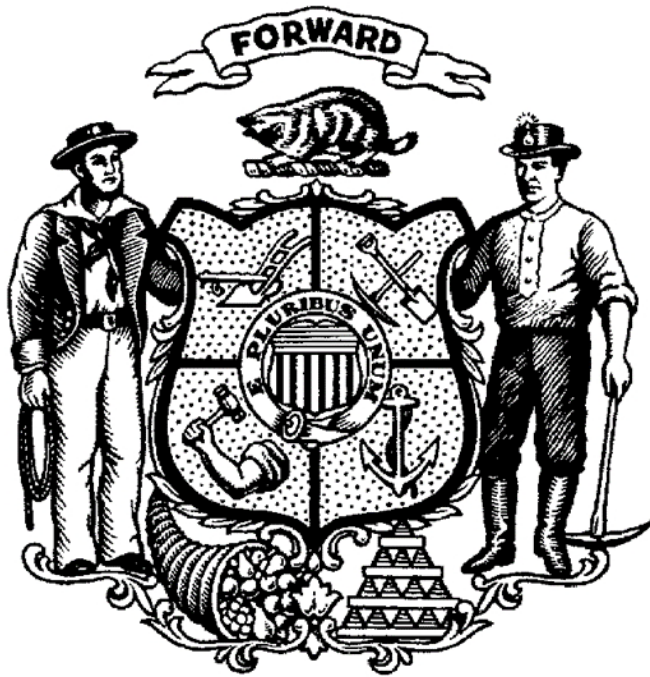


State of Wisconsin

Court of Appeals



Court Budget Request
2027 – 2029 Biennium
October 5, 2026

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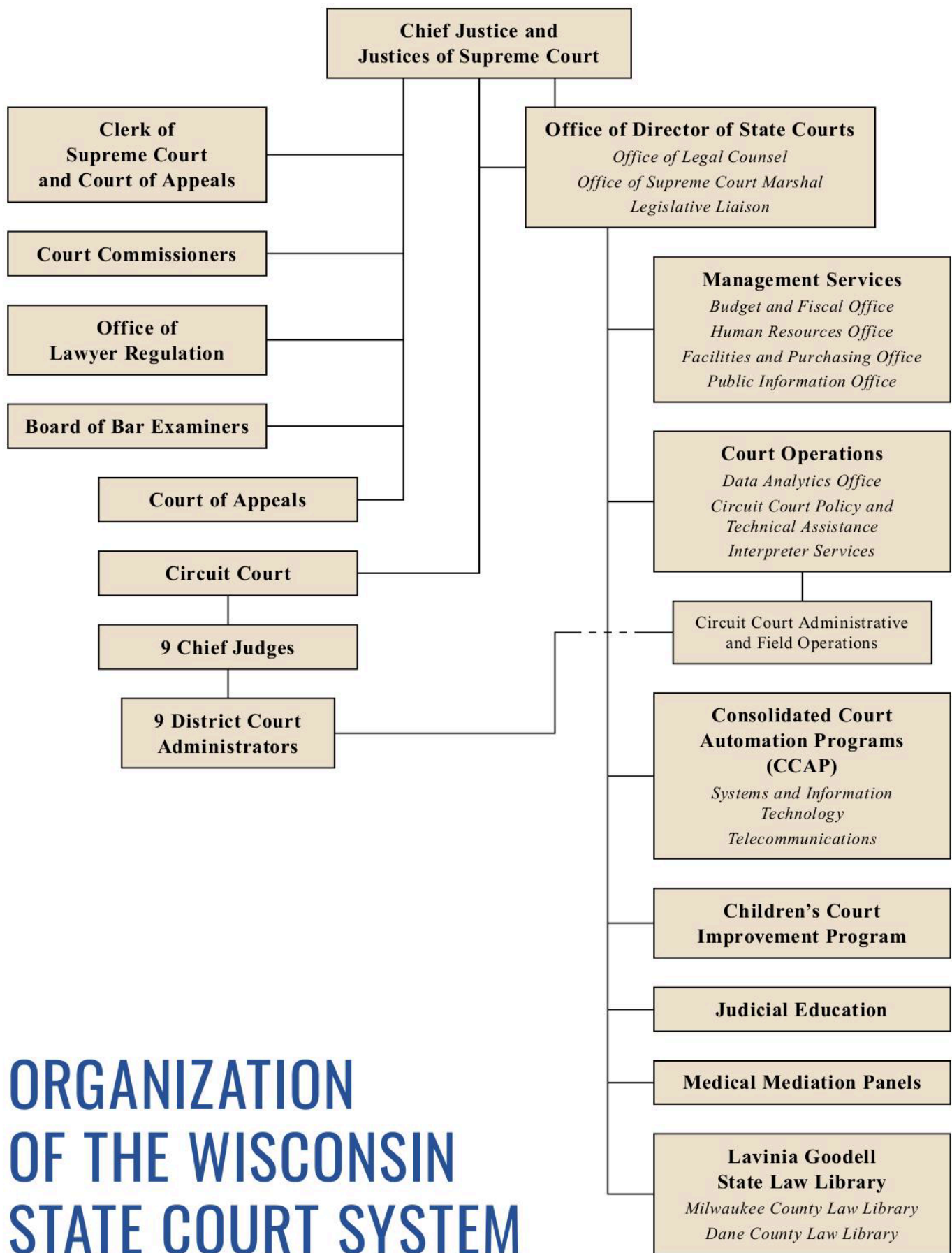
The Wisconsin Court System Budget Cover Letter is located under Supreme Court Budget Submission.

COURT DESCRIPTION

The Court of Appeals consists of 16 judges elected for staggered six-year terms. The court is divided into four panels located in Milwaukee, Waukesha, Wausau and Madison, and is supervised by a chief judge appointed by the Supreme Court.

The Court of Appeals has original jurisdiction to issue prerogative writs and appellate jurisdiction over all final judgments and orders of the Circuit Courts, which can be appealed as a matter of right.

The Court of Appeals usually sits as a three-judge panel to dispose of cases on their merits. However, a single judge may hear certain categories of cases, including small claims; municipal ordinance and traffic violations; and mental health, juvenile and misdemeanor cases. The Court of Appeals provides a written opinion containing a summary of the reasons for a decision made by the court.



ORGANIZATION OF THE WISCONSIN STATE COURT SYSTEM

Court Total by Fund Source

		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	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.10%
Total		\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.10%
Grand Total		\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.10%

Court Total by Program

		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 %
01 Appellate proceedings										
Non Federal										
GPR	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
S	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
Total - Non Federal	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
S	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
PGM 01 Total	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
GPR	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
S	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
TOTAL 01	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
S	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%
COURT TOTAL	\$13,735,934	\$13,871,800	\$14,605,100	\$14,822,700	81.50	81.50	\$27,743,600	\$29,427,800	\$1,684,200	6.07%

Court Total by Decision Item

Decision Item	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
2000 Adjusted Base Funding Level	\$13,871,800	\$13,871,800	75.50	75.50
3003 Full Funding of Continuing Position Salaries and Fringe Benefits	(\$229,200)	(\$229,200)	0.00	0.00
3010 Full Funding of Lease and Directed Moves Costs	(\$58,500)	(\$56,500)	0.00	0.00
5003 Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship	\$876,300	\$942,200	6.00	6.00
5007 Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce	\$142,600	\$292,300	0.00	0.00
7910 Central Services Adjustments	\$2,100	\$2,100	0.00	0.00
TOTAL	\$14,605,100	\$14,822,700	81.50	81.50

GPR Earned

Program: -

Date: 10/2/2026

Revenue	Prior Year Actuals	Base Year Estimate	1st Year Estimate	2nd Year Estimate
Opening Balance	\$192,204	\$193,300	\$194,900	\$196,500
TOTAL	\$192,204	\$193,300	\$194,900	\$196,500

Decision Item (DIN): 2000 - Adjusted Base Funding Level

NARRATIVE

Adjusted Base Funding Level

Decision Item by Line

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$8,799,200	\$8,799,200
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$36,900	\$36,900
05	Fringe Benefits	\$3,122,700	\$3,122,700
06	Supplies and Services	\$1,769,000	\$1,769,000
07	Permanent Property	\$144,000	\$144,000
08	Unallotted 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	\$13,871,800	\$13,871,800
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	75.50	75.50

Decision Item by Numeric

Program: 01 - Appellate proceedings

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	\$13,871,800	\$13,871,800	75.50	75.50
Program Sub Total	\$13,871,800	\$13,871,800	75.50	75.50
DIN 2000 - Adjusted Base Funding Level Total	\$13,871,800	\$13,871,800	75.50	75.50
Court Total	\$13,871,800	\$13,871,800	75.50	75.50

Decision Item by Fund Source

Decision Item (DIN): 2000 - Adjusted Base Funding Level

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	\$13,871,800	\$13,871,800	75.50	75.50
DIN 2000 - Adjusted Base Funding Level Total		\$13,871,800	\$13,871,800	75.50	75.50
Court Total		\$13,871,800	\$13,871,800	75.50	75.50

Decision Item (DIN): 3003 - 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

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	(\$282,000)	(\$282,000)
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$0	\$0
05	Fringe Benefits	\$52,800	\$52,800
06	Supplies and Services	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unallotted 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	(\$229,200)	(\$229,200)
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

Program: 01 - Appellate proceedings

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	(\$229,200)	(\$229,200)	0.00	0.00
Program Sub Total	(\$229,200)	(\$229,200)	0.00	0.00
DIN 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits Total	(\$229,200)	(\$229,200)	0.00	0.00
Court Total	(\$229,200)	(\$229,200)	0.00	0.00

Decision Item by Fund Source

Decision Item (DIN): 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	(\$229,200)	(\$229,200)	0.00	0.00
DIN 3003 - Full Funding of Continuing Position Salaries and Fringe Benefits Total		(\$229,200)	(\$229,200)	0.00	0.00
Court Total		(\$229,200)	(\$229,200)	0.00	0.00

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

NARRATIVE

The Director requests Full Funding of Lease and Directed Moves Costs.

Decision Item by Line

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Line Number	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	(\$73,500)	(\$56,500)
07	Permanent Property	\$0	\$0
08	Unallotted Reserve	\$0	\$0
09	Aids to Individuals & Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$15,000	\$0
12	Debt service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	TOTAL	(\$58,500)	(\$56,500)
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

Program: 01 - Appellate proceedings

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	(\$58,500)	(\$56,500)	0.00	0.00
Program Sub Total	(\$58,500)	(\$56,500)	0.00	0.00
DIN 3010 - Full Funding of Lease and Directed Moves Costs Total	(\$58,500)	(\$56,500)	0.00	0.00
Court Total	(\$58,500)	(\$56,500)	0.00	0.00

Decision Item by Fund Source

Decision Item (DIN): 3010 - Full Funding of Lease and Directed Moves Costs

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	(\$58,500)	(\$56,500)	0.00	0.00
DIN 3010 - Full Funding of Lease and Directed Moves Costs Total		(\$58,500)	(\$56,500)	0.00	0.00
Court Total		(\$58,500)	(\$56,500)	0.00	0.00

Decision Item (DIN): 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship

NARRATIVE

The Director of State Courts and the Chief Judge of the Court of Appeals request funding and position authority to create an additional judgeship in District III of the Court of Appeals, as well as support staff pursuant to Wis. Stat. § 751.02. In addition, the Director requests additional staff attorneys to address caseloads in all of the districts. This is part of a request which includes additional funding in the Supreme Court to support the initiative. Please see DIN 6003 in the Supreme Court.

Memorandum

State of Wisconsin
Director of State Courts



DATE: October 1, 2026

TO: State Budget Office

FROM: Audrey K. Skwierawski, Director of State Court
608-266-6828

SUBJECT: Biennial Budget Proposal — Wisconsin Court of Appeals Staffing

Executive Summary

The Chief Judge of the Court of Appeals and the Director of State Courts requests \$906,000 all funds in FY27-28 and \$948,800 all funds in FY28-29 and 6.0 FTE in each year for the Court of Appeals, consisting of:

1. A fourth judgeship for District 3, which would include 1.0 FTE Court of Appeals judge, 1.0 FTE judicial assistant, 1.0 FTE law clerk, and 1.0 FTE staff attorney.
2. 2.0 FTE staff attorneys who can work on cases for all Districts.

I. Problem Statement and Summary

The Court of Appeals conducted an intensive review of its current caseload and staffing needs. Based on this review and current staffing levels, the Court of Appeals will continue to experience significant and increasing delays in the resolution of appellate cases in the coming months and years, which negatively impacts litigants, victims, circuit court judges, the court system in general, and the general public.

The court has had some success addressing these delays in the past several years by taking advantage of new technologies, transforming some non-attorney administrative support staff positions into law clerk positions, and hiring LTE staff attorneys to draft screened decisions. However, these strategies alone cannot resolve existing delays, especially when the numbers of appeals, motions, and writs filed are increasing each year. Further, there are no additional staff positions that can be transformed or moved to assist in reducing delays and the accumulating caseload.

Given the current caseload and staffing needs, at current levels, the Court of Appeals will continue to resolve, at most, 80-90 percent of the number of cases submitted for decision each year, and the current accumulated 900+ cases waiting to be drafted will continue to grow. Times to decision will continue to increase.

The addition of a fourth judge in District 3, which would also include a judicial assistant, law clerk, and one staff attorney would allow District 3 to increase its case processing time and to screen and release an additional 60 three-judge merit cases each year. It would also translate into the release of an additional

15 to 30 one-judge and no-merit opinions each year, in addition to the ability to more efficiently handle additional motions and writs.

Second, the addition of 2.0 staff attorneys will expand the Court of Appeals capacity in all Districts. This addition would allow the court to release an additional 100-120 cases per year, plus handle the ever-growing motions load.

By adding an additional judge with associated staff, and two additional staff attorneys, the court will be able to reduce its times to decision, keep up with the annual case filings, and address the accumulating caseloads.

Background and Statistics

By current court, with 16 judges, the appeals court should handle about 1600 appeals per year, which includes resolving all types of cases including writs, petitions for leave to appeal and habeas petitions, no-merit cases, as well as other one-judge and three-judge matters, by written opinion, summary disposition, memorandum opinion, or dismissal order. However, filing numbers have significantly exceeded 1600 for decades. As the chart below indicates, case filings dipped as low as 2059 in 2020 during the pandemic, but they again increased to 2715 case filings in 2025, and they are trending upward.

Year	AP case filings in Court of Appeals*	Average cases per judge (16 judges)
2017	2440	153
2018	2377	149
2019	2318	145
2020	2059	129
2021	2156	135
2022	2116	132
2023	2360	148
2024	2529	158
2025	2715	170

Not all appeals proceed to briefing, screening, and the issuance of a final written opinion. Some appeals are dismissed earlier in the process.

For instance, the chart below indicates how the court resolved 2527 appeals in 2025, as detailed in the court’s 2025 Annual Report.

2025 Terminations	
Opinions (e.g., 1-judge and 3-judge authored opinions, per curiams)	663
Summary Dispositions	632
Memo Opinions (e.g., jurisdiction dismissals, writs, leave petitions)	867
Other dismissals (e.g., voluntary dismissals, delinquencies)	365
TOTAL TERMINATIONS	2527

The chart on the following page shows the number of merit cases that were briefed and submitted to a three-judge or one-judge panel for decision from 2022 through the 1st Quarter of 2026, with consolidated cases counting as a single case. (No-merit cases are discussed further below.) These figures reflect an increase in merit cases submitted to the districts in the years since the pandemic, as well as the fact that District 3 frequently has more cases per judge than the other Districts.

Report on Records and Briefs Sent for Screening (Records & Briefs for merit cases sent to each District for screening)*					
	Dist. 1	Dist. 2	Dist. 3	Dist. 4	Total
2022 1J cases	44	63	42	59	208
2022 3J cases	183	196	174	178	731
2022 total 1J and 3J cases	227	259	216	237	939
Average per Judge**	56.75	64.75	72	47.4	58.68
2023 1J cases	34	65	50	54	203
2023 3J cases	179	190	166	184	719
2023 total 1J and 3J cases	213	255	216	238	922
Average per Judge**	53.25	63.75	72	47.6	57.62
2024 1J cases	52	64	44	60	220
2024 3J cases	191	247	154	207	799
2024 total 1J and 3J cases	243	311	198	267	1019
Average per Judge**	60.75	77.75	66	53.4	63.68
2025 1J cases	41	42	57	85	225
2025 3J cases	202	211	183	202	798
2025 total 1J and 3J cases	243	253	240	287	1023
Average per Judge**	60.75	63.25	80	57.4	63.93
2026 1st Quarter 1J cases	8	15	12	15	50
2026 1st Quarter 3J cases	39	60	44	59	202
2026 1st Quarter total 1J and 3J cases***	47	75	56	74	252
Average per Judge**	11.75	18.75	18.66	14.8	15.75

A significant part of each judge's role is to screen three-judge and one-judge merit appeals and draft decisions for those cases. The judge is assisted by a law clerk and judicial assistant. The court also relies on staff attorneys (16.25 FTE positions total), who spend about 30 percent of their time drafting per curiam opinions and summary dispositions in merit appeals after cases are screened. The remainder of each staff attorney's time is spent on the following: (1) reviewing no-merit appeals and drafting proposed decisions for those no-merit appeals (20 percent); (2) reviewing petitions for leave to appeal, habeas corpus, and supervisory writ (15 percent); (3) reviewing and resolving procedural and substantive motions, most of which arise prior to the completion of briefing (32 percent); and (4) earning judicial education credits and administrative matters (3 percent). As discussed here and elsewhere, the numbers of no-merit appeals, leave petitions, writs, and motions have increased substantially over the years, which reduces the time that staff attorneys have available to assist the judges in drafting opinions on merit appeals.

As noted, staff attorneys spend about 20 percent of their time reviewing no-merit appeals, which are filed pursuant to Wis. Stat. Rule 809.32 and 809.107. No-merit appeals are unique because the court is required to conduct an independent review of the record to identify potential issues of merit. *See State v. Foster*, 2014 WI 131, ¶162, 360 Wis. 2d 12, 856 N.W.2d 847 (“After submission of the no-merit report and the response ... the court of appeals follows the requirement of *Anders v. California*, 386 U.S. 738 (1967)]: it not only examines the no-merit report but also conducts its own scrutiny of the record to find out whether there are any potential appellate issues of arguable merit.”) (internal quotation marks and citations omitted). That independent review of the record is conducted by the assigned staff attorney, who then works with the supervising judge to draft any necessary orders and the final order accepting or rejecting the no-merit report. Depending on the length of the trial court proceedings, reviewing the record may take as few as five hours or more than 40 hours. The chart below indicates the number of no-merit cases submitted to staff attorneys in the last four years.

Year	No-merit cases submitted (consolidated cases count as one)
2022	272
2023	318
2024	279
2025	287

Over the last 25 years, the amount of time that staff attorneys have had to devote to reviewing and resolving motions has increased dramatically. The chart below indicates the number of motions filed in the Court of Appeals, as tracked by the Clerk of the Court of Appeals.

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Motions	9925	9850	10111	10023	10623	10661	10789	11435	12679	12003	12382	12856	13805
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023*	2024	2025	
Motions	13729	14157	14952	14777	15876	16381	14384	13811	14495	17279	19463	20742	

About 90-95 percent of filed motions are referred to a staff attorney, who consults with a one-judge or three-judge motions panel as necessary. Staff attorneys also address issues raised by the Clerk’s office where no motion was filed by a party, such as cases where a party’s brief is overdue or the Clerk’s office seeks guidance on whether to accept a particular filing. In 2025, staff attorneys resolved more than 19,000 motions/Clerk’s office inquiries. About two-thirds of those items were extension motions that take an average of 10 minutes to resolve with an order (motion review, order drafting and formatting, proofing, releasing). The remaining one-third of items, which includes writ petitions and petitions for leave to appeal, can take between one and 30 hours to resolve (rough average: 2-3 hours). Thus, a rough estimate of staff attorney time devoted to motions, writ petitions, and petitions for leave to appeal is 15,000-20,000 hours per year.

The court also resolves petitions for leave to appeal, which generally take between 5 and 25 hours each to resolve. In 2025, the court resolved 160 petitions for leave to appeal. Based on the first three months of 2026 (58 petitions for leave to appeal filed), the court is on pace to resolve roughly the same number of leave petitions in 2026.

Finally, the number of petitions for habeas corpus or supervisory writ has continued to rise, with 271 writ petitions filed in 2025—the highest number on record. Previously, the number of writs filed between the

years 2001 and 2024 varied from 106 to 240 per year. In the first three months of 2026, 75 writs were filed, putting the court on pace to handle 300 writs in 2026. Each writ generally takes between 5 and 25 hours to resolve.

In summary, based on statistics of cases submitted to the districts in the last four years and the number of new filings, the court expects to be assigned the following in 2026, and the numbers may be even higher in 2027:

- 800 three-judge cases submitted to panels for screening (consolidated cases count as one)
- 220 one-judge cases submitted for screening (consolidated cases count as one)
- 290 no-merit appeals submitted for review (consolidated cases count as one)
- 20,000+ motions and Clerk's office inquiries
- 300 writ petitions
- 160 petitions for leave to appeal

Currently, the court is successfully resolving most motions, writ petitions, and petitions for leave to appeal within several months. However, it is not able to screen all three-judge and one-judge cases immediately after briefing is completed, and once cases are screened, they cannot be immediately written. As of March 31, 2026, there were 295 three-judge cases waiting to be screened (with consolidated cases counting as one). In Districts 1, 2, and 3, it takes three to five months for three-judge cases to be screened once briefing is completed, while in District 4, in recent years, screening has occurred within two months.

Once a case is screened, it is assigned directly to a judge or a staff attorney for drafting. Some decisions are completed within 60 days, but many take 6-18 months to complete due to existing cases to resolve and the press of motions, petitions, and leaves. In 2025, judges and staff attorneys resolved the following numbers of cases by release of a written opinion or summary disposition (with consolidated cases counting as one case):

2025	1J decisions drafted by judges	3J decisions drafted by judges	3J decisions drafted by staff attorneys and LTE staff attorneys and reviewed by judges	No-merit cases drafted by staff attorneys and reviewed by judges	TOTAL
Cases resolved by written opinion or summary disposition* (consolidated cases count as one case)	180	347	366	227	1120

When one compares those release numbers to the number of cases being assigned after briefing is complete, it shows that the court is releasing about 90 percent of the number of one-judge and three-judge cases that are being screened each year, and about 80 percent of the number of no-merit appeals being assigned each year. However, the court has significant accumulated cases, which continue to grow larger as the number of cases being filed and submitted for screening increases, so even increasing production to resolve 100 percent of what is being currently submitted would not resolve the screened cases.

The chart below estimates the current number of cases screened and ready to be written. Based on those figures, if the court stopped assigning cases to be written, it would still take nine to 11 months to write all of the cases that are currently ready to be written.

March 31, 2026	1J decisions to be drafted by judges	3J decisions to be drafted by judges	3J decisions to be drafted by staff attorneys and reviewed by judges	No-merit cases to be drafted by staff attorneys and reviewed by judges	TOTAL
Cases ready to be written (consolidated cases count as one case)	159	185	260	302	906

The impact of delays in screening and drafting is reflected in times to decision. Currently, after briefing is complete in a three-judge merit appeal, it will take, on average, nearly one year before a decision is released. For no-merit cases, the average time to release a decision after a no-merit report is filed is more than 268 days. When it comes to both merit and no-merit criminal cases, the length of time to decision is on top of other delays in the justice system, including delays to appoint postconviction counsel, prepare transcripts, decide whether to file a postconviction motion, file a notice of appeal, and prepare a no-merit report or merit brief.

Additional Factors Influencing Time to Decision

The number of cases filed each year varies, but times to decision have increased significantly over the last 25 years. This increase is caused, in substantial part, by a significant increase in motions, writs, and leave petitions. Several additional factors explain, in part, the increased times to decision.

1. **Pro se litigation requires significant court resources.** Over the last 12 years, approximately 22-28 percent of all cases for which an appellate record was filed had at least one pro se party. For instance, for cases with appellate records filed in 2022, that number was about 22 percent, and in 2023, that number rose to nearly 28 percent. There are indications that number is continuing to rise: for the first four months of 2026, 38 percent of the 483 cases reviewed on jurisdiction check had at least one pro se party. Addressing pro se motions and briefs generally takes longer than reviewing filings by an attorney.
2. **Cases often involve longer records and more complex types of evidence.** Civil and criminal litigation now frequently includes electronic discovery, photographs, video and audio recordings, DNA evidence, etc.
3. **Many decisions now reach broader audiences that are better served by a more comprehensive treatment of issues.** For many years, the Court of Appeals' per curiam and summary dispositions were distributed only to the specific circuit court and parties on the case, and such opinions could be drafted for use by that specific and limited audience. But now, per curiam decisions and summary dispositions are available online and on Westlaw/Lexis. Even though such opinions are not citable as precedent, circuit court judges and litigants frequently read these opinions and follow their rationale. Further, one-judge authored decisions released since July 1, 2009, are citable for persuasive value, pursuant to Wis. Stat. Rule 809.23(3). Under the circumstances, it is appropriate to provide more factual and procedural background and analysis to serve broader audiences.

Efforts to Increase Efficiency and Production

The court has taken numerous steps to increase efficiency and production over the past several years, including but not limited to:

- Converting position authority for judicial assistant positions to law clerk positions.
- Converting position authority for legal assistant positions to staff attorney positions.
- Converting a portion of the position of Assistant to the Chief Judge to a staff attorney position.
- Increased use of technology.
- Hiring LTE staff attorneys to draft screened cases.
- Expanding the use of interns to work on drafting one-judge and three-judge decisions.

Unique Challenges in District 3

District 3 includes almost half of the counties in the state—35 counties in northern Wisconsin. The judges in District 3 review the decisions of 78 judges, more than any other District. As the statistics previously discussed indicate, the number of one-judge and three-judge merit cases per judge submitted to District 3 has exceeded the court average for the last four years. In 2025, the average number of submitted cases per judge jumped to 80, which is significantly higher than the court-wide average of 63.93. The higher-than-average number of cases in the last four years has contributed to significant accumulated cases in District 3.

In addition to having a high caseload and significant accumulated cases, District 3 is uniquely challenged because it has only three judges. The other Districts have a sufficient number of judges to conference cases if one judge is not available. District 3 does not, and as a result, if a judge retires or is unavailable for other reasons, a judge must be assigned from another District to assist with screening and reviewing motions and petitions, as three judges are required to conference most cases. Finally, even short absences for illness or vacation create challenges for the District, particularly whenever a three-judge panel is needed to resolve an urgent motion or petition.

II. Fiscal Summary

2027-29 Court of Appeals Request (Rounded Up)

	FY28 ^[1] Total Yr 1	FY29 Total Yr 2	Biennial Cost
Salary*	\$628,100	\$685,100	\$1,313,200
Fringe	\$233,000	\$254,100	\$487,100
Supplies & Services	\$44,900	\$9,600	\$54,500
Total Court of Appeals Request	\$906,000	\$948,800	\$1,854,800

^[1] FY2028 Judge, Judicial Assistant and Law Clerk salaries based on positions filled 11 months and Attorneys 9 months

*Salaries as of August 1, 2026 incl June 30, 2026

GWA; include LTE salaries

III. Statutory Language Change

Modify Wis. Stat. § 752.03 to provide for 17 Court of Appeals judges and four judges in the district under Wis. Stat. § 752.17.

Note: A judge is automatically authorized to hire a law clerk and judicial assistant, pursuant to Wis. Stat. § 751.02.

STATUTORY LANGUAGE

Modify Wis. Stat. § 752.03 to provide for 17 Court of Appeals judges, and four judges in the district under Wis. Stat. § 752.17.

Decision Item by Line

Decision Item (DIN): 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$625,300	\$682,100
02	Turnover	\$0	\$0
03	Project Position Salaries	\$0	\$0
04	LTE/Misc. Salaries	\$2,800	\$3,000
05	Fringe Benefits	\$233,200	\$254,400
06	Supplies and Services	\$2,500	\$2,700
07	Permanent Property	\$0	\$0
08	Unallotted Reserve	\$0	\$0
09	Aids to Individuals & Organizations	\$0	\$0
10	Local Assistance	\$0	\$0
11	One-time Financing	\$12,500	\$0
12	Debt service	\$0	\$0
13		\$0	\$0
14		\$0	\$0
15		\$0	\$0
16		\$0	\$0
17	TOTAL	\$876,300	\$942,200
18	Project Positions Authorized	0.00	0.00
19	Classified Positions Authorized	0.00	0.00
20	Unclassified Positions Authorized	6.00	6.00

Decision Item by Numeric**Program: 01 - Appellate proceedings****Decision Item (DIN): 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship**

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	\$876,300	\$942,200	6.00	6.00
Program Sub Total	\$876,300	\$942,200	6.00	6.00
DIN 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship Total	\$876,300	\$942,200	6.00	6.00
Court Total	\$876,300	\$942,200	6.00	6.00

Decision Item by Fund Source

Decision Item (DIN): 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	\$876,300	\$942,200	6.00	6.00
DIN 5003 - Ensuring Access to Justice Through the Addition of a Court of Appeals Judgeship Total		\$876,300	\$942,200	6.00	6.00
Court Total		\$876,300	\$942,200	6.00	6.00

Decision Item (DIN): 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce

NARRATIVE

The Director requests the inclusion in the 2027-29 State of Wisconsin Compensation Plan of a five percent adjustment general wage adjustment in fiscal year 2027-28 and an additional general wage adjustment of five percent in fiscal 2028-29 for judicial officers, supported by funding in the sum sufficient appropriations for the Supreme Court, Court of Appeals, and Circuit Court. This request is part of a request for which includes discretionary merit and equity parity funding for non-judicial administrative staff of the Wisconsin Supreme Court. Please see DIN 6007 in the Wisconsin Supreme Court and DIN 4007 in the Wisconsin Circuit Court.

ISSUE PAPER

Please see DIN 6007 in the Supreme Court Budget Request for the issue paper relating to this request.

Decision Item by Line

Decision Item (DIN): 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce

Line Number	Expenditure Items	1st Year Cost	2nd Year Cost
01	Permanent Position Salaries	\$142,600	\$292,300
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	\$0	\$0
07	Permanent Property	\$0	\$0
08	Unallotted 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	\$142,600	\$292,300
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

Program: 01 - Appellate proceedings

Decision Item (DIN): 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	\$142,600	\$292,300	0.00	0.00
Program Sub Total	\$142,600	\$292,300	0.00	0.00
DIN 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce Total	\$142,600	\$292,300	0.00	0.00
Court Total	\$142,600	\$292,300	0.00	0.00

Decision Item by Fund Source

Decision Item (DIN): 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	\$142,600	\$292,300	0.00	0.00
DIN 5007 - Ensuring Access to Justice By Attracting and Retaining a Qualified Workforce Total		\$142,600	\$292,300	0.00	0.00
Court Total		\$142,600	\$292,300	0.00	0.00

Decision Item (DIN): 7910 - Central Services Adjustments

NARRATIVE

The Director of State Courts requests additional funding to support increased Department of Administration assessments for central services. These statewide assessments fund enterprise administrative services that support court system operations.

ISSUE PAPER

These adjustments reflect changes in DOA Allocated Central Services assessments in fiscal years 2022-23 through 2024-25.

Decision Item by Line

Decision Item (DIN): 7910 - Central Services Adjustments

Line Number	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	\$2,100	\$2,100
07	Permanent Property	\$0	\$0
08	Unallotted 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	\$2,100	\$2,100
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**Program: 01 - Appellate proceedings****Decision Item (DIN): 7910 - Central Services Adjustments**

Numeric	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
01 - General program operations	\$2,100	\$2,100	0.00	0.00
Program Sub Total	\$2,100	\$2,100	0.00	0.00
DIN 7910 - Central Services Adjustments Total	\$2,100	\$2,100	0.00	0.00
Court Total	\$2,100	\$2,100	0.00	0.00

Decision Item by Fund Source

Decision Item (DIN): 7910 - Central Services Adjustments

Source of Funds	Type	1st Year Total	2nd Year Total	1st Year FTE	2nd Year FTE
GPR	S	\$2,100	\$2,100	0.00	0.00
DIN 7910 - Central Services Adjustments Total		\$2,100	\$2,100	0.00	0.00
Court Total		\$2,100	\$2,100	0.00	0.00