

JUDICIAL COUNCIL

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY21 Adjusted Base	FY22 Recommended	% Change Over FY21	FY23 Recommended	% Change Over FY22
TOTAL	0	0	0.0	0	0.0

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY21 Adjusted Base	FY22 Recommended	FTE Change Over FY21	FY23 Recommended	FTE Change Over FY22
TOTAL	0.00	0.00	0.00	0.00	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 Supreme Court rules or 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 chairpersons of the Senate and Assembly committees dealing with judicial affairs or a designated member from such committees; 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

2019 AND 2020 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2019	Actual 2019	Goal 2020	Actual 2020 ¹
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Draft and file Supreme Court rule change petition to update discovery provisions in criminal cases	Devoted time to research and draft proposal of changes to rules regarding expungement	Review and draft recommended amendments at the direction of the Legislature	Devoted time to finalizing draft proposal of changes to rules regarding expungement
1.	Review and research amendments to the Rules of Evidence.	Draft and file a Supreme Court petition to update rule regarding duty to preserve evidence in civil cases	Prepared submission to the Legislature requesting amendment to s. 802.06(1)(b), Wisconsin Statutes	Review and recommend ways to incorporate the Federal Rules of Evidence into Wisconsin's rules	Devoted time to research and draft proposal of changes to rules regarding injunctions, to create symmetry between the state and federal processes

Prog. No.	Performance Measure	Goal 2019	Actual 2019	Goal 2020	Actual 2020 ¹
1.	Review and research amendments to the Rules of Civil Procedure.	Draft and file Supreme Court rule change petition to amend trial preparation: experts statute s. 804.01(2)(d), Wisconsin Statutes	Prepared submission to the Legislature requesting amendment to s. 802.06(1)(b), Wisconsin Statutes	Review and recommend modifications to the Rules of Civil Procedure created by 2017 Wisconsin Act 235 in order to synchronize the act with the Federal Rules of Civil Procedure	Devoted time to research and draft proposal of changes to rules regarding injunctions, to create symmetry between the state and federal processes
1.	Review and research amendments to the Rules of Appellate Procedure.	Draft and file Supreme Court rule change petition to adopt a rule regarding substitution or withdrawal of counsel in appellate cases	Devoted time to research and draft proposal of changes to s. 809.85, Wisconsin Statutes, regarding the withdrawal of attorneys in appellate matters Commenced study of prospective amendments to s. 971.14, Wisconsin Statutes	Review and research amendments to the Rules of Appellate Procedure at the direction of the Supreme Court or council	Continued study of prospective amendments to s. 971.14, Wisconsin Statutes, as it applies to the appellate process relating to competency of criminal defendants
1.	Timely response to requests to review Supreme Court rules.	Provide recommendations regarding Supreme Court rules changes	Provided recommendations regarding Supreme Court rules changes	Provide recommendations regarding Supreme Court rules changes	Provided recommendations regarding Supreme Court rules changes

Note: Based on fiscal year.

Note: The council calendar is unique, beginning in September of each year and continuing until the following June. The council ordinarily does not meet in April, July, August and December.

¹The council's ability to meet and perform its duties was negatively impacted by COVID-19.

2021, 2022 AND 2023 GOALS

Prog. No.	Performance Measure ¹	Goal 2021	Goal 2022	Goal 2023
1.	Review and draft recommended amendments to the Code of Criminal Procedure.	Prepare submission to the Legislature requesting amendment to statute regarding expungement	Review and draft recommended amendments at the direction of the Legislature	Review and draft recommended amendments at the direction of the Legislature
1.	Review and research amendments to the Rules of Civil Procedure and Rules of Evidence.	Continue to review and recommend ways in which to incorporate the Federal Rules of Evidence into Wisconsin's rules Review and research amendments to the Rules of Civil Procedure at the direction of the Supreme Court or council	Continue to review and recommend ways in which to incorporate the Federal Rules of Evidence into Wisconsin's rules Review and research amendments to the Rules of Civil Procedure at the direction of the Supreme Court or council	Continue to review and recommend ways in which to incorporate the Federal Rules of Evidence into Wisconsin's rules Review and research amendments to the Rules of Civil Procedure at the direction of the Supreme Court or council
1.	Review and research amendments to the Rules of Appellate Procedure.	Draft and file Supreme Court rule change petition to adopt a rule regarding substitution or withdrawal of counsel in appellate cases	Review and research amendments to the Rules of Appellate Procedure at the direction of the Supreme Court or council	Continue to review and research amendments to the Rules of Appellate Procedure at the direction of the Supreme Court or council
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.

¹Performance measures have been revised for the upcoming biennium.

JUDICIAL COUNCIL

GOVERNOR'S BUDGET RECOMMENDATIONS

ITEMS NOT APPROVED

1. Judicial Council Attorney and Funding

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

	ACTUAL FY20	ADJUSTED BASE FY21	AGENCY REQUEST FY22	AGENCY REQUEST FY23	GOVERNOR'S RECOMMENDATION FY22	GOVERNOR'S RECOMMENDATION FY23
GENERAL PURPOSE REVENUE	\$0.0	\$0.0	\$2.0	\$111.2	\$0.0	\$0.0
State Operations	0.0	0.0	2.0	111.2	0.0	0.0
TOTALS - ANNUAL	\$0.0	\$0.0	\$2.0	\$111.2	\$0.0	\$0.0
State Operations	0.0	0.0	2.0	111.2	0.0	0.0

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

	ADJUSTED BASE FY21	AGENCY REQUEST FY22	AGENCY REQUEST FY23	GOVERNOR'S RECOMMENDATION FY22	GOVERNOR'S RECOMMENDATION FY23
GENERAL PURPOSE REVENUE	0.00	0.00	1.00	0.00	0.00
TOTALS - ANNUAL	0.00	0.00	1.00	0.00	0.00

(4) All positions are State Operations unless otherwise specified

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

	ACTUAL FY20	ADJUSTED BASE FY21	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY22	FY23	FY22	FY23
1. Advisory services to the courts and the legislature	\$0.0	\$0.0	\$2.0	\$111.2	\$0.0	\$0.0
TOTALS	\$0.0	\$0.0	\$2.0	\$111.2	\$0.0	\$0.0

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

	ADJUSTED BASE FY21	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY22	FY23	FY22	FY23
1. Advisory services to the courts and the legislature	0.00	0.00	1.00	0.00	0.00
TOTALS	0.00	0.00	1.00	0.00	0.00

(4) All positions are State Operations unless otherwise specified

ITEMS NOT APPROVED

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

Decision Item	Source of Funds	FY22		FY23	
		Dollars	Positions	Dollars	Positions
1. Judicial Council Attorney and Funding	GPR	2,000	0.00	111,200	1.00
TOTAL OF ITEMS NOT APPROVED	GPR	2,000	0.00	111,200	1.00