

PETITION FOR RULE-MAKING
IN THE SUPREME COURT OF WISCONSIN

COVER SHEET

IN THE MATTER OF

AMENDMENT

CREATION

[Empty box for statute, rule, or administrative matter]

(list statute, rule, or
administrative matter)

1. Petitioner

[Empty box for Petitioner name]

Contact Person's Information

Name

[Empty box for Name]

Address

[Empty box for Address]

Telephone

[Empty box for Telephone]

E-mail

[Empty box for E-mail]

2. Subject matter of petition:

[Empty box for Subject matter of petition]

3. Type of petition (check all that apply)

- Pleading and practice (Wis. Stat. § 751.12)
- Supreme Court Rule.
- Administrative matter (e.g. Electronic Filing)
- Other. Please explain.

[Empty box for explanation of other petition type]

4. Type of change (check all that apply):

- Creation of statute (Wis. Stat. § 751.12)
- Creation of Supreme Court Rule
- Creation of Administrative rule
- Amendment of existing statute (Wis. Stat. § 751.12)
- Amendment of existing Supreme Court Rule
- Amendment of existing Administrative rule

5. Supreme Court Rule, statute, or administrative matter to be amended or created:

6. Principal reason or purpose for this petition:

7. Identify Supreme Court Rule, statute, or administrative matter that may be affected by, or are in conflict with, the petition.

8. Rules that the supreme court promulgates to regulate pleading, practice, and procedure in judicial proceedings shall not abridge, enlarge, or modify substantive rights of any litigant. Wis. Stat. § 751.12(1).

a. How would the petition affect any person's procedural rights?

b. How would the petition affect any person's substantive rights?

9. Potential fiscal impact of the petition (further explanation may be provided in supporting memorandum to the petition).

10. Potential administrative impact of the petition (further explanation may be provided in supporting memorandum to the petition).

11. Identify any related pending petition. For a list of petitions, see <https://www.wicourts.gov/scrules/pending.htm>

12. Are you requesting a public hearing? If so, please explain.

Yes.

No.

13. Is expedited consideration necessary?

Yes. If so, please explain.

No.

14. Proposed effective date.

Note: A rule change under Wis. Stat. § 751.12(1) shall have an effective date of January 1 or July 1.

15. Will the proposed rule change have retroactive effect on any pending matter?

WISCONSIN SUPREME COURT
Guidelines for Rules Submissions

Any person may initiate a change in Supreme Court Rules, pleading, practice, and procedural statutes, and administrative matters by submitting a petition to the Supreme Court. See Wis. Stat. § 751.12 and Supreme Court Internal Operating Procedures II.B.5. and III. In order to insure the adequacy of a petition and to promote consistency in the format of petitions, the petitioner should follow these guidelines.

I. Forms for Submitting a Petition.

A. The petitioner should submit the following three documents:

1. Petition,
2. Supporting memorandum,
3. Cover sheet.

B. The petition, supporting memorandum, and cover sheet shall be submitted in hard copy (include one original and nine copies). The paper copies shall be mailed to the Clerk of the Supreme Court, P.O. Box 1688, Madison, WI 53701.

The petitioner shall, if possible, e-mail an electronic copy of the petition and supporting memorandum in MS Word to the Office of the Clerk of the Supreme Court at clerk@wicourts.gov

II. Types of Petitions.

Many petitions fall into one of the following categories.

Pleading and practice. See Wis. Stat. § 751.12.

Examples: Electronic Discovery (Petition 09-02)

Videoconferencing in courts (Petition 07-12)

Supreme Court Rule.

Example: State Bar Membership classes (Petition 08-27)

Administrative matter. Wis. Const. Art. III, § 3; Supreme Court Internal Operating Procedures II.B.5. and III.

Example: Electronic Filing (petition 06-08)

III. Contents of Petition.

The petition shall include the text of the proposal. If the proposal amends an existing rule, statute, or administrative matter, deleted portions should be shown and stricken through followed by new text that should be underlined.

IV. Contents of Memorandum in Support of a Petition.

The memorandum in support shall, at a minimum,

- explain whether the petitioner seeks to amend or create a statute or rule,
- identify the statute or rule being changed or created,
- provide a thorough, detailed explanation of each amendment and reasons for the change,
- explain how the proposed amendment would affect any person's procedural or substantive rights,
- identify experience of other state or federal courts, if applicable,
- analyze the fiscal and administrative impacts, if any, of the proposal,
- list any related petitions pending before the court (petitions are listed at <https://www.wicourts.gov/scrules/pending.htm> and
- list the committees, agencies, and individuals that the petitioner has consulted about the proposal.