



Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

110 E. MAIN STREET, SUITE 440

MADISON, WISCONSIN 53703

Nancy A. Kopp
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Telephone (608) 266-7442

September 6, 2016

To: Interested Parties – See Attached List

Re: Rule Petition 16-01, In the Matter of the Petition to Amend Wis. Stats. §§ 885.16, 885.17, 885.205, and 906.01

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 16-01 filed by the Wisconsin Judicial Council on April 19, 2016. This petition proposes certain changes to repeal the so-called "Deadman's statutes," Wis. Stats. §§ 885.16 (Transactions with deceased or insane persons) and 885.17 (Transactions with deceased agent), and amend Wis. Stat. § 906.01 (General Rule of Competency) to remove references to the Deadman's statutes. The petition also proposes repeal of Wis. Stat. § 885.205 (Privileged communications) which appears to create a privilege for communications between a student and dean of students or a school psychologist. You have received this letter because you or your agency or organization has been identified as potentially having an interest in this matter. A copy of this petition can be found on the court's website at <http://wicourts.gov/scrules/pending.htm>.

Consistent with standard practice, the court has scheduled and will conduct a public hearing and an open conference on Monday, October 24, 2016, at 9:30 a.m. to discuss this matter further. Another rule petition also involving changes to the Rules of Evidence is scheduled the same day. See Rule Petition 16-02, In the Matter of the Petition to Amend Wisconsin Statutes §§ 901.07, 906.08, 906.09 and Wisconsin Statute § 906.16, filed April 19, 2016. Please note, the court may take any action on a rule petition it deems appropriate, including any of the following:

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (c) Circulate the rule petition for comment without a public hearing.
- (d) Schedule the rule petition for public hearing.
- (e) Refer the rule petition to another entity for its review and recommendation.
- (f) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed by September 26, 2016, with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. If possible, email a Microsoft Word version of your response to clerk@wicourts.gov. See

comment guidelines at the court's website at <http://wicourts.gov/scrules/petitioncomment.htm>. The petitioner shall file any response to the comments by October 3, 2016.

If you are interested in appearing in person at the public hearing, please notify the Deputy Clerk for Rules by October 3, 2016, at clerk@wicourts.gov or 608-261-4302.

You might wish to consult the court's website at <http://wicourts.gov/scrules/supreme.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office will be posted on the website.

If you have specific questions or other comments regarding this matter, please contact me by mail at Post Office Box 1688, Madison, WI 53701-1688, by telephone at (608) 261-6642, or by email at julie.rich@wicourts.gov.

Very truly yours,

/s/

Julie Anne Rich
Supreme Court Commissioner

cc: Chief Justice Patience Drake Roggensack
Justice Shirley S. Abrahamson
Justice Ann Walsh Bradley
Justice Annette Kingsland Ziegler
Justice Michael J. Gableman
Justice Rebecca Grassl Bradley
Justice Daniel Kelly
April M. Southwick

List of Interested Parties for Supreme Court Rules Matters

Badger State Sheriffs Association, Attention: Executive Director
Board of Bar Examiners
Chief Circuit Court Judges
Christian Gossett, Winnebago County District Attorney
Circuit Court Judges
Court of Appeals, Attention: Chief Staff Attorney
Court of Appeals Judges
Court Operations, Sara Ward-Cassady, Director
Court Operations, Ann Olson
Dean Dietrich, Attorney (Wausau)
Diane M. Fremgen, Clerk of Supreme Court
Director of State Courts
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director
League of Women Voters: Andrea Kaminski, Executive Director
Legal Action of Wisconsin
Legal Aid Society of Milwaukee, Attention: Kimberly Walker, Executive Director
Marquette Law School, Attention: Joseph D. Kearney
Office of Lawyer Regulation, Attention: Keith Sellen, Director
Office of State Public Defender, Attention: Kelli S. Thompson
Office of the Attorney General, Attention: Brad D. Schimel
Jeremy C. Perri, Attorney
State Bar of Wisconsin, Attention: George Brown, Executive Director
State Bar of Wisconsin, Attention: Lisa Roys, Public Affairs Director
State Bar of Wisconsin, Attention: Francis Deisinger, President
Steven Levine, Attorney
U.W. Law School, Attention: Margaret Raymond
Western District Bar Association of Wisconsin, Attention: Matthew Duchemin
Wisconsin Asian Bar Association, Attention: Robin Dalton
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director
Wisconsin Association of African American Lawyers, Attn: Steven DeVougas
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever
Wisconsin Association of Judicial Court Commissioners, Attention: Susan Schaubel
Wisconsin Bankers Association, Attention: Attorney John Knight
Wisconsin Bankers Association, Attention: Rose Oswalk Poels, CEO
Wisconsin Clerks of Circuit Court Association, Attention: Carlo Esqueda
Wisconsin Counties Association, Attention: Sarah Diedrick-Kasdorf
Wisconsin Defense Counsel, Attention: Jane Svinicki, Executive Director
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Exec. Secretary
Wisconsin Hispanic Lawyers Association, Attention: Cain W. Oulahan
Wisconsin Judicare, Inc., Attention: Kimberly Haas, Executive Director
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke
Wisconsin Judicial Council, Attention: April Southwick
Wisconsin Juvenile Court Clerks Association, Attention: Jody J. Bartels
Wisconsin Municipal Judges Association, Attention: Honorable Scott Letteney
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director
Wisconsin Registers in Probate Association, Attention: Julie Kayartz
Wisconsin Sheriff & Deputy Sheriff Association, Attention: David Graves, Exec. Director
Wisconsin State Attorneys Association, Attention: John Gelhard
Wisconsin Trial Judges Association, Attention: Honorable Mary M. Kuhnmuench
Wisconsin Tribal Judges Association, Attention: Eugene White-Fish, President