

SUPREME COURT OF WISCONSIN

No. 14-03

**In the Matter of the Petition to Create
Wisconsin Statute § 801.18**

FILED

JAN 4, 2016

Diane M. Fremgen
Clerk of Supreme Court
Madison, WI

Pending before the court is an administrative rule petition asking this court to create a rule, Wis. Stat. § 801.18, to mandate electronic filing by attorneys and high-volume small claims filers in circuit court proceedings and to effectuate the transition from paper case files to all electronic files in the circuit courts.

The petition was filed on October 31, 2014, by the Committee of Chief Judges, a committee of the Director of State Courts Office. The court conducted a public hearing on this matter on March 17, 2015. After extensive discussion at the ensuing open administrative conference, the court voted to discuss the matter again at an open conference in June 2015.

In May 2015, the petitioner filed a letter with the court, requesting that the matter be removed from the June agenda and discussed at a later date. The letter explained that work remained to be done on budget and implementation options.

On December 23, 2015, the petitioner filed an amended petition and the matter is again ripe for this court's consideration.

The proposed new rule is lengthy and includes sections setting forth various aspects of a mandatory e-filing system. In essence, the petition proposes repeal of Wis. Stat. § 801.17 (pertaining to voluntary electronic filing) and creation of a new section, Wis. Stat. § 801.18 (Electronic filing). The petition also proposes amendment and/or creation of other rules to reflect the proposed adoption of mandatory electronic filing, including the following: Wis. Stat. § 48.022 (Electronic filing), Wis. Stat. § 801.15 (Time), Wis. Stat. § 801.16 (Filing), Wis. Stat. § 808.075 (Permitted court actions pending appeal), Wis. Stat. § 809.80 (Filing and service of papers), Wis. Stat. § 938.022 (Electronic filing), Wis. Stat. § 967.12 (Electronic filing), Wis. Stat. § 968.02 (Issuance and filing of complaints), Wis. Stat. § 968.12 (Search warrant), SCR 70.42 (Electronic signatures), and SCR 72.03 (Destruction of original court record after microfilming or electronically or optically storing).

IT IS ORDERED that a public hearing on the petition shall be held in the Supreme Court Room in the State Capitol, Madison, Wisconsin, on February 23, 2016, at 9:30 a.m.

IT IS FURTHER ORDERED that the court's conference in the matter shall be held promptly following the public hearing.

IT IS FURTHER ORDERED that notice of the hearing be given by a publication of a copy of this order and of the petition in the official state newspaper once each week for three consecutive weeks, and in an official publication of the State Bar of Wisconsin not more than 60 days nor less than 30 days before the date of the hearing.

IT IS FURTHER ORDERED that the full text of the proposed rules, including changes, if any, in existing rules, shall be placed on the Internet site maintained by the director of state courts for the supreme court. See www.wicourts.gov.

Dated at Madison, Wisconsin, this 4th day of January, 2016.

BY THE COURT:

Diane M. Fremgen
Clerk of Supreme Court

