

SUPREME COURT OF WISCONSIN

NOTICE

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2016 WI 29

No. 14-03

In the matter of the Petition to Create
Wisconsin Statute § 801.18

FILED

APR 28, 2016

Diane M. Fremgen
Clerk of Supreme Court
Madison, WI

On October 31, 2014, the Committee of Chief Judges ("Committee"), a committee of the Director of State Courts' Office, filed 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. To accomplish this, the petition also proposed 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).

The court discussed the petition at open rules conference on November 17, 2014, and voted to schedule a public hearing. On December 29, 2014, a letter was sent to interested persons, seeking input. Comments were received from the Office of the State Public Defender, the State Bar, the Wisconsin Counties Association, the Honorable Joseph G. Sciascia, Attorney Kenneth Fall, the Department of Children and Families, and the Wisconsin Clerks of Circuit Court Association. The Committee submitted a minor amendment to the petition on February 25, 2015.

A public hearing was held on March 17, 2015. The Honorable Robert J. Wirtz and the Honorable Randy R. Koschnick presented the petition to the court. The court also heard oral testimony from the Honorable John R. Storck; Theresa Russell, Washington County Circuit Court Clerk; David Callender, Wisconsin Counties Association; Devon Lee, State Public Defender; and Jean Bousquet, CCAP Director.

After extensive discussion at the ensuing open administrative conference, the court voted to discuss the matter again at an open conference in June 2015.

On May 21, 2015, the Committee filed a letter advising the court that it was exploring alternative models with reduced start-up costs and requesting that the court postpone any follow-up conference on the rule petition until further notice. The court agreed.

On December 23, 2015, the Committee filed an amended petition. Rather than a county-by-county rollout funded by the legislature as

contemplated by the original petition, the amended petition proposed a case type-by-case type rollout funded largely by user fees and reallocation of CCAP resources. The target completion date for all case types is December 31, 2019.

A letter to interested parties was sent on January 4, 2016, seeking input on the amended petition. The court received numerous written comments on the amended petition.

The State Bar of Wisconsin, by its president Ralph Cagle, expressed the Board of Governors' unanimous support for the amended petition. The court also received written comments from the Honorable Joseph G. Sciascia; the Wisconsin Clerks of Circuit Court Association, by its president Carlo Esqueda; Professor Marsha Mansfield, Director of the Economic Justice Institute at the University of Wisconsin Law School; Bill Girdner, Editor for Courthouse News Service; the Wisconsin Creditors' Rights Association, by Attorneys Jason Hermersmann and James Kachelski; the Wisconsin Access to Justice Commission, by its president, James A. Gramling, Jr.; and Justice Shirley S. Abrahamson. The Committee submitted a letter responsive to these comments.

The court subsequently received written comments from the Honorable Eugene Harrington; additional comments from Justice Abrahamson (attaching data prepared by Dane County Clerk Carlo Esqueda); additional comments from Justice Abrahamson (attaching information she received from Richard Schauffler, Director of Research Services at the National Center for State Courts); comments submitted jointly by Judge Storck and Robert Barrington, Dodge County District Attorney Office; comments from David A. Pifer, Legal Action

of Wisconsin; John Ebbott, Retired Executive Director of Legal Action of Wisconsin; Kimberly Walker, Executive Director, Legal Aid Society of Milwaukee; the Wisconsin Counties Association; and additional information from CCAP.

A public hearing was conducted on February 23, 2016. Chief Judge Robert J. Wirtz, Fond du lac County Circuit Court, Judge Richard Sankovitz, Milwaukee County Circuit Court, and Chief Judge Randy R. Koschnick, Jefferson County Circuit Court presented the petition to the court. The court heard testimony from Carla Robinson, Jefferson County Clerk of Circuit Court; Attorney Robert J. Dreps, on behalf of the Wisconsin Newspaper Association, the Milwaukee Journal Sentinel, the Wisconsin State Journal, and Courthouse News Service; Attorney Robert G. Barrington, Dodge County District Attorney's Office; Lynn Hron, Dodge County Clerk of Circuit Court; and Attorney Katherine Koespell.

The court discussed the matter in open administrative conference. Justice Abrahamson informed the court that she had requested some additional data from CCAP. The court voted unanimously to adopt the petition, subject to certain changes discussed at the hearing and pending its receipt and consideration of additional information requested from CCAP.

On March 10, 2016, a draft order, marked to reflect proposed changes from the language set forth in the amended petition was posted on the court rules website and provided to the court for its consideration and review. On March 8, 2016, CCAP provided the court with additional information. On March 16, 2016, Justice Abrahamson

provided the court with a memorandum regarding funding for this matter.

The court discussed the draft order on March 17, 2016. Justice Abrahamson proposed amending the order to require the Director to provide the court with status updates at specified intervals. Justice Ann Walsh Bradley agreed with the suggestion. Following discussion, the majority of the court voted 5:2 (Justice Abrahamson and Justice Ann Walsh Bradley) to approve the order as drafted. Justice Ann Walsh Bradley stated she concurs in the decision to adopt the eFiling petition but favored regular reporting to the court.

IT IS ORDERED that effective July 1, 2016:

Section 1. 48.022 of the statutes is created to read:

48.022 Electronic filing. Section 801.18 governs the electronic filing of documents under this chapter.

Section 2. 801.15(5)(b) of the statutes is amended to read:

801.15(5)(b) If the notice or paper is served by facsimile transmission or by the electronic filing system under s. 801.18 and such transmission is completed between 5 p.m. and midnight, 1 day shall be added to the prescribed period.

Section 3. 801.16(2)(f) of the statutes is amended to read:

801.16(2)(f) Papers filed with the circuit court by facsimile transmission completed after regular business hours of the clerk of circuit court's office are considered filed on a particular day if the submission is made by 11:59 p.m. Central Time, as recorded by the court facsimile machine. The expanded availability of time to file shall not affect the calculation of time under other statutes, rules and court orders.

Section 4. A Comment to 801.16(2)(f) of the statutes is created to read:

Comment

Sub. (2)(f) is a change to circuit court law and practice. Under prior law, fax filings were required to arrive at the office of the clerk of court before the end of the regular business day in order to be considered filed on that day. In contrast, the mandatory electronic filing statute, s. 801.18(4)(e), allows any filing made before midnight to be considered filed on that day. After July 1, 2016, parties who do not use the electronic filing system are given the advantage of the extended filing hours.

Section 5. 801.17 of the statutes is repealed.

Section 6. 801.18 of the statutes is created to read:

801.18 (title) **Electronic filing.**

(1) DEFINITIONS. In this section:

(a) "Clerk of court" means the official circuit court recordkeeper for the case in question, which may be the clerk of circuit court, juvenile clerk, or register in probate for that county.

(b) "Converted" means that all documents in a paper case file have been imaged by the clerk of court and the case file is available to accept filings via the electronic filing system.

(c) "Director" means the director of state courts.

(d) "Document" means a pleading, form, notice, motion, order, affidavit, paper exhibit, brief, judgment, writ of execution, or other filing in an action.

(e) "Electronic filing system" means an internet-accessible system established by the director for the purpose of filing documents with a circuit court, automatically integrating them into the court case management system, and electronically serving them on the parties.

(f) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the document. For purposes of the electronic filing system, a document is electronically signed if it is submitted by or on behalf of a user or court official through the electronic filing system and bears the name of the user in the place where a signature would otherwise appear. "Electronic signature" includes only those signature technologies specifically approved by the director.

(g) "Filing agent" means a person authorized under s. 799.06(2) to appear on behalf of another.

(h) "High-volume filing agent" means a person authorized under s. 799.06(2) who appears on behalf of an entity filing 10 or more actions a year in the county where the action is being filed.

(i) "Imaged document" means an electronic copy of a document originally created or submitted on paper.

(j) "Initiating document" means a summons and complaint, petition, application, citation, criminal complaint, or any other document filed to commence a court action.

(k) "Mandatory user" means a user who is subject to sub. (3)(a).

(L) "Paper party" means a party who is not subject to sub. (3)(a) who chooses not to participate in the electronic filing system as described in sub. (3)(c).

(m) "Traditional methods" means those methods of filing and serving documents, other than electronic filing, provided under statutes and local rules.

(n) "User" means an individual who has registered to use the electronic filing system under sub. (3). Users of the electronic filing system shall be individuals, not law firms, agencies, corporations, or other groups.

(o) "Voluntary user" means a party who is not subject to sub. (3)(a) who voluntarily registers to use the electronic filing system under sub. (3)(b).

(2) EFFECTIVE DATE; APPLICABILITY.

(a) The director of state courts shall implement an electronic filing system for the Wisconsin circuit courts. The requirements of this section shall govern the electronic filing of documents in all types of actions and proceedings in circuit court.

(b) Mandatory use of the electronic filing system shall be phased in according to a schedule set by the director until the system has been fully implemented. The director shall make information about the transition schedule readily available to the public in advance of its application.

(c) Subject to the schedule set by the director under par. (b), mandatory users shall be required to use the electronic filing system for all new filings covered by the schedule. Electronic filing shall be required for all new actions brought in circuit court and for all

new documents submitted in previously filed cases, except as otherwise provided in this section.

(d) After July 1, 2016 and prior to the date that electronic filing becomes mandatory under par. (b), parties may choose to electronically file actions and documents under the provisions of this statute or may continue to file by traditional methods.

(e) Electronic filing is limited to methods specifically approved by the director. The director may enter into an agreement with any state agency to allow electronic filing through a custom data exchange between the court case management system and the agency's automated information system. Parties using a custom data exchange are considered mandatory users and are subject to the requirements of this section.

(f) The procedures in this section shall be interpreted in a manner consistent with existing procedures. This section is not intended to limit the director's approval of new technologies that accomplish the same functions.

(g) The judges of the circuit court, the clerk of court, and all court staff shall cooperate and assist with the implementation of electronic filing.

(h) This section does not address documents required by law to be filed with court officials that are not filed in an action before the court. These documents may be filed by traditional methods unless otherwise required by the director of state courts.

(i) This section does not apply to filing of documents or transcripts with the court of appeals or supreme court.

(j) Prior to the effective date of this section, the director may require that electronic filing be mandatory in one or more pilot counties for purposes of testing and improving the mandatory electronic filing system.

(3) REGISTRATION REQUIREMENTS.

(a) Subject to the schedule set by the director under sub. (2)(b), the following individuals shall register for access to the electronic filing system prior to filing documents in circuit court:

1. Licensed Wisconsin attorneys, other than those who are representing only themselves.
2. Attorneys appearing under SCR 10.03(4).
3. High-volume filing agents.

(b) Parties who are not subject to par. (a) may voluntarily register to use the electronic filing system.

(c) A party not subject to par. (a) who does not choose to participate in the electronic filing system under par. (b) shall file, serve, and receive paper documents by traditional methods.

(d) All users shall register through the electronic filing system by executing a user agreement governing the system's terms of use. To register, users must have the capability to produce, file, and receive electronic documents meeting the technical requirements of the electronic filing system. The electronic filing system shall make information on the technical requirements for filing readily available. By registering, users agree to electronically file all documents to the extent the electronic filing system can accept them.

(e) Upon completion of a properly executed user agreement under par. (d), the electronic filing system shall provide the user with a

confidential, secure authentication procedure for access to the electronic filing system. This authentication procedure shall be used only by that user and by any agents or employees that the user authorizes. Upon learning that the confidentiality of the authentication procedure has been inadvertently or improperly disclosed, the user shall immediately report that fact through the electronic filing system.

(f) Users shall notify the electronic filing system within 10 business days of any change in the information provided for registration. Attorneys shall notify the electronic filing system within 10 business days of beginning representation of a formerly self-represented party. Entities appearing by a filing agent shall notify the electronic filing system within 10 business days of any change in the identity of a filing agent.

(g) Nonresident attorneys shall register following court approval of a motion to appear *pro hac vice* under SCR 10.03(4).

(h) After registering to use the electronic filing system, a user shall also register as an attorney or party on any previously filed cases in which the user intends to continue to participate. The same authentication procedure shall be used for all cases on which the user is an attorney or a party. The electronic filing system may reset authentication procedures as needed for administrative and security purposes.

(i) Voluntary users who wish to stop using the electronic filing system in a particular case must notify the electronic filing system or the clerk of court. The electronic filing system shall indicate

that traditional methods must be used for this party for future filings and service.

(j) The electronic filing system may provide a method for filing documents by individuals who are not parties to the case. It may also provide a method for professionals and agencies associated with the case to receive information and file reports.

(4) TIME AND EFFECT OF ELECTRONIC FILING.

(a) The electronic filing system is an agent of the circuit courts for purposes of filing, receipt, service, and retrieval of electronic documents.

(b) When a document is submitted by a user to the electronic filing system, the electronic filing system shall transmit it to the appropriate clerk of court in the county where the case is filed. The electronic filing system shall issue a confirmation that submission to the electronic filing system is complete.

(c) If the clerk of court accepts a document for filing, it shall be considered filed with the court at the date and time of the original submission, as recorded by the electronic filing system. Upon acceptance, the electronic filing system shall issue a confirmation to serve as proof of filing. When personal service is not required, the confirmation shall also serve as proof of service on the other users in the case.

(d) The electronic filing system shall receive electronic filings 24 hours per day except when undergoing maintenance or repair.

(e) A document is considered filed on a particular day if the submission is completed by 11:59 p.m. Central Time, as recorded by

the electronic filing system, so long as it is subsequently accepted by the clerk of court upon review. The expanded availability of time to file shall not affect the calculation of time under other statutes, rules, and court orders.

(5) COMMENCEMENT OF ACTION.

(a) A user seeking to initiate an action shall first register with the electronic filing system as provided in sub. (3). The user shall then file an initiating document in the county where the action is to be commenced and provide the additional information requested by the electronic filing system to open a case.

(b) If a filing fee is required, the clerk of court may reject the document unless it has been submitted as provided in sub. (7) (b). At the written or oral request of the filer, the clerk of court may reject the document for filings made in error, if the request is made before the clerk of court has accepted the document.

(c) If the clerk of court accepts an initiating document for filing, the clerk of court shall assign a case number and authenticate the document as provided in sub. (10). The case shall then be available through the electronic filing system. If the clerk of court rejects an initiating document, the filer shall be notified of the rejection.

(d) Initiating documents shall be served by traditional methods unless the responding party has consented in writing to accept electronic service or service by some other method. Initiating documents shall be served together with a notice to the responding party stating that the case has been electronically filed and with instructions for how to use the electronic filing system.

(e) A mandatory user who represents a responding party shall register to use the electronic filing system as provided by this section. After registering to use the electronic filing system, the user shall also register as a user on the particular case. The electronic filing system will note the new user on the case.

(6) FILING AND SERVICE OF SUBSEQUENT DOCUMENTS.

(a) The electronic filing system shall generate a notice of activity to the other users in the case when documents other than initiating documents are filed. Users shall access filed documents through the electronic filing system. For documents that do not require personal service, the notice of activity is valid and effective service on the other users and shall have the same effect as traditional service of a paper document, except as provided in par. (b).

(b) If a document other than an initiating document requires personal service, it shall be served by traditional methods unless the responding party has consented in writing to accept electronic service or service by some other method.

(c) Paper parties shall be served by traditional methods. The electronic case record shall indicate which parties are to be served electronically and which are to be served by traditional methods.

(d) Paper parties shall file documents with the court by traditional methods. The clerk of court shall image the documents and enter the imaged documents into the electronic filing system promptly. The notice of activity generated by the entry shall constitute service on the users in the case. Paper parties must serve other paper parties by traditional methods.

(e) If a notice sent to a user is returned undeliverable, the electronic filing system shall automatically notify the user who filed the document. The filing user shall then serve the document on that party by traditional methods. That party shall be treated as a paper party until the party corrects the problem and reregisters with the electronic filing system.

(f) For cases that were originally filed by traditional methods:

1. Subject to the schedule set by the director in par. (2)(b), all mandatory users shall register as electronic users on each case for which they continue to appear. Mandatory users who do not register for a case will not receive notices of activity or service of documents.

2. For all cases that are in open status at the time electronic filing is mandated, the clerk of court shall send a notice by traditional methods to each unregistered party stating that the case has been converted to electronic filing. Mandatory users shall promptly register for these cases unless the user informs the court that the user is no longer appearing on behalf of the party.

3. For all cases that are in closed status prior to the time electronic filing is mandated, no action is required until there is a subsequent filing or the court initiates further activity on the case, subject to all of the following:

a. A mandatory user who initiates electronic activity on a closed case shall register as a user on the case and shall serve any paper parties by traditional methods. Any mandatory user so served shall promptly register as a user in the case or shall notify the court that the user is no longer appearing on behalf of the party.

b. A voluntary user who chooses to initiate electronic activity on a closed case shall register as a user on the case and shall serve any paper parties by traditional methods. Any mandatory user so served shall promptly register as a user in the case or shall notify the court that the user is no longer appearing on behalf of the party.

c. Service on a party who might be a voluntary user shall include a notice stating that the case has been converted to electronic filing and giving instructions for how to use the electronic filing system if the party chooses to do so.

(7) PAYMENT OF FEES.

(a) Users shall make payments due to the clerk of court through the electronic filing system unless otherwise ordered by the court or unless arrangements are made with the clerk of court. The electronic filing system shall deposit the fees due to the clerk of court in the clerk's account.

(b) A document that requires payment of a fee is not considered filed until the fee is paid, a waiver of the fee is granted, or other arrangements for payment are made. The user may submit a petition or motion for waiver of costs and fees, including the electronic filing fee, under s. 814.29(1), using a form provided by the court for that purpose. If a document is submitted with a petition or motion for waiver, it shall be considered filed with the court on the date and time of the original submission if the waiver is subsequently granted by the court or other arrangements for payment are made.

(c) Users shall be charged a fee for use of the electronic filing system, as provided under s. 758.19(4m) and established by the

director of state courts. The fee is a recoverable cost under s. 814.04(2). The electronic filing fee shall not be charged to Wisconsin state and local government units.

(8) FORMAT AND CONTENT OF FILINGS.

(a) The director shall make information about the technical requirements of the electronic filing system readily available to the public. Users are responsible for keeping up with these requirements and providing the necessary equipment, software, communication technology, and staff training.

(b) Users shall provide any case management information needed to transmit and file documents. The electronic filing system shall reject a document for failure to include information in any one of the mandatory fields identified by the system.

(c) Users shall format the appearance of all electronically filed documents in accordance with statutes and local rules governing formatting of paper documents, including page limits.

(d) The electronic filing system may set limits on the length or number of documents. Documents rejected by the system for this reason shall be filed and served by traditional methods. Leave of court may be granted for traditional filing and service in appropriate cases.

(9) OFFICIAL RECORD.

(a) Electronically filed documents have the same force and effect as documents filed by traditional methods. The electronic version constitutes the official record. No paper copy of an electronically filed document shall be sent to the court.

(b) The duties of the clerk of court under ss. 59.40, 851.72, 851.73, and all other statutes, court rules, and procedures may be

fulfilled through proper management of electronic documents as provided in this section. The requirements of statutes and rules that refer to paper copies, originals, mailing, and other traditional methods may be satisfied by transmission of documents through the electronic filing system.

(c) Subject to the schedule set by the director in sub. (2)(b), the clerk of court shall maintain the official court record only in electronic format for all cases commenced after that date. Documents filed by traditional methods shall be electronically imaged and made part of the official record. The clerk of court may discard the paper copy pursuant to SCR 72.03(3). Any official court record containing electronically filed documents must meet the operational standards set by SCR 72.05 for electronic records.

(d) If a document is filed in a case in closed status, the clerk of court shall file the document electronically and convert that case to electronic format within a reasonable time. If conversion of the case would be unusually burdensome, the clerk of court may maintain the record in paper format with the permission of the court.

(e) The clerk of court shall make the public portions of the electronic record available for viewing at the clerk of court's office. The clerk of court shall make nonpublic portions of the electronic record available for viewing by authorized persons.

(f) The clerk of court may provide either paper or electronic copies of pages from the court record. The clerk of court shall charge the per-page fee set by ss. 814.61(10) and 814.66(1)(h) for electronic court records.

(g) Certified copies of an electronic record may be obtained from the clerk of court's office by traditional methods, as provided by s. 889.08. The electronic system may also make available a process for electronic certification of the court record. The seal of the court may be applied electronically. No use of colored ink or an impressed seal is required.

(h) Except as provided in par. (i), parties filing by traditional methods shall file a copy of any document and not the original paper document. The court may require the submitting party to produce the original paper document if authenticity of document is challenged. If the court inspects the original paper document, it shall be retained as an exhibit as provided in SCR 72.03(4).

(i) Notwithstanding the other provisions of this section, a will deposited for safekeeping under s. 853.09 may not be electronically filed. The original paper will shall be deposited with the court.

(j) Notwithstanding the other provisions of this section, a person submitting a will to the court under s. 856.05 shall file the original paper will in the proper court. The register in probate shall image the will and create an electronic case file. The register in probate shall maintain the paper copy of a will in a separate file for the time period provided by SCR ch. 72.

(k) Pleadings may be submitted during a court proceeding by traditional methods. Pleadings submitted in court shall be imaged and the imaged copy entered into the court record by the clerk of court.

(L) For documentary exhibits, parties shall submit a copy of the exhibit and not the original. The clerk of court shall image each documentary exhibit and enter the imaged document into the court

record. Copies of documentary exhibits so imaged may be discarded as provided in SCR 72.03(3). If inspection of the original document is necessary to the court proceeding, the court may order that the original document be produced. Any original document so produced shall be retained as an exhibit as provided in SCR 72.03(4).

(m) An administrative agency submitting a record for judicial review in compliance with s. 227.55 shall image the administrative record and submit the imaged copy electronically using a method provided by the electronic filing system. The electronic record shall be the official record in the circuit court. If inspection of an original document is necessary to the court proceeding, the court may order that the original document be produced.

(10) AUTHENTICATION.

Electronic placement of the court filing stamp and the case number on each copy of an initiating document constitutes authentication under the statutes and court rules. An authenticated copy may be printed from the case management system by the clerk of court or from the electronic filing system by the user.

(11) NOTARIZATION AND OATHS.

(a) Notaries public who hold valid appointments under ch. 137 may issue certificates of notarial acts for electronically filed documents as provided in this section.

(b) Court officials authorized by law to perform notarial acts may do so by application of their electronic signatures provided through the electronic filing system.

(c) Unless specifically required by statute or court rule, electronically filed documents are not required to be notarized.

(d) Documents notarized by traditional methods may be filed through the electronic filing system if a handwritten signature and physical seal appear on the original document. The user shall submit an imaged copy of the notarized document to the electronic filing system, and the court shall maintain the imaged copy as the official court record. The court may require the submitting party to produce the original paper document if the authenticity of the notarization is in question.

(e) Notwithstanding s. 706.07(8)(c), an electronically filed complaint under s. 799.22 may be verified by applying the electronic signature of the plaintiff or the plaintiff's attorney to a written oath attesting that the facts of the complaint are true, without swearing to the oath in front of a notarial officer.

(f) The director, in his or her discretion, may approve the use of an electronic notary technology compatible with the existing electronic filing system.

(12) SIGNATURES OF USERS.

(a) A document requiring the signature of a user is deemed to have been signed by the user when it is electronically filed through the court electronic filing system. The signature shall use the format "Electronically signed by" followed by the name of the signatory, and shall be placed where the person's signature would otherwise appear. This signature shall be treated as the user's personal original signature for all purposes under the statutes and court rules.

(b) A summons and complaint, petition, or other initiating document that is signed in compliance with par. (a) bears a sufficient signature under s. 802.05.

(c) Each electronically filed document shall bear that person's name, mailing address, telephone number, and state bar number if applicable.

(d) An attorney may delegate the authority to submit documents to the electronic filing system to a person under the attorney's supervision. Any document requiring the attorney's signature is deemed to have been signed by the attorney if submitted to the electronic filing system and signed as provided in par. (a). Every attorney is responsible for all documents so submitted.

(e) Every attorney is responsible for electronically filed documents to the same extent as for paper filings. Attorneys using the electronic filing system are subject to sanctions under s. 802.05 and contempt procedures under ch. 785, and are subject to discipline for a violation of any duty to the court under the supreme court rules.

(f) Self-represented parties and filing agents under s. 799.06 are responsible for electronically filed documents to the same extent as for paper filings. Self-represented parties and filing agents using the electronic filing system are subject to sanctions under s. 802.05 and contempt procedures under ch. 785.

(g) Users may submit documents without electronic signatures in the following situations:

1. A joint petition in an action for divorce or legal separation may be electronically filed if it bears the handwritten signature of

one party and the electronic signature of the other or the handwritten signatures of both parties.

2. A stipulation will be considered signed by multiple persons if it bears the handwritten signatures of all signatories or if it bears the printed name of each signatory and contains a representation by the filing party that the filing party has consulted with the signatories and all have agreed to sign the document.

3. The court may agree to accept a document with the handwritten signature of a user and direct that it be made part of the electronic record by the clerk of court.

(h) For paper parties, every document requiring a signature shall be signed using a handwritten signature. If a document requiring a signature is filed by traditional methods, the filing party shall file a copy of that document and not the original paper document, as provided under sub. (9).

(i) Documents containing handwritten signatures of third parties, such as affidavits, may be filed through the electronic filing system if a handwritten signature appears on the original document. The user shall submit an imaged copy of the signed document to the electronic filing system, and the court shall maintain the imaged document as the official court record. The court may require the submitting party to produce the original paper document if validity of the signature is challenged.

(j) The director, in his or her discretion, may approve the use of other signature technologies to the extent that they work with the existing electronic filing system.

(13) SIGNATURES OF COURT OFFICIALS.

(a) If the signature of a court official is required on a document, an electronic signature may be used. The electronic signature shall be treated as the court official's personal original signature for all purposes under Wisconsin statutes and court rules. Where a handwritten signature would be located on a particular order, form, letter, or other document, the official's printed name shall be inserted.

(b) The electronic signature of a court official shall be used only by the official to whom it is assigned and by such delegates as the official may authorize. The court official is responsible for any use of his or her electronic signature by an authorized delegate.

(c) A court official may delegate the use of his or her electronic signature to an authorized staff member pursuant to the security procedures of the court case management system. Upon learning that the confidentiality of the electronic signature has been inadvertently or improperly disclosed, the court official shall immediately report that fact to the consolidated court automation programs. Court officials shall safeguard the security of their electronic signatures and exercise care in delegation.

(14) CONFIDENTIAL INFORMATION.

(a) The confidentiality of an electronic record is the same as for the equivalent paper record. The electronic filing system may permit access to confidential information only to the extent provided by law. No person in possession of a confidential electronic record, or an electronic or paper copy thereof, may release the information to any other person except as provided by law.

(b) Parties shall comply with the requirements of ss. 801.19 - 801.21 regarding redaction of protected information, identification of confidential material, and sealing of filed documents.

(c) If a document is confidential, it shall be identified as confidential by the submitting party when it is filed. The electronic filing system may require users to enter certain information, such as social security numbers, in confidential fields. The clerk of court is not required to review documents to determine if confidential information is contained within them.

(d) If a user seeks court approval to seal a document, the user may electronically file the document under temporary seal pending court approval of the user's motion to seal.

(e) The electronic filing system shall place a visible mark on documents identified as confidential.

(15) TRANSCRIPTS.

(a) The original transcript of any proceeding produced under SCR 71.04 shall be electronically filed with the circuit court in accordance with procedures established by the director. This rule does not alter the requirements governing timelines, format or costs established by s. 814.69, SCR 71.04, or any other statutes, rules, and procedures. This section does not alter the requirements for filing transcripts with the supreme court or court of appeals.

(b) The electronic filing system shall note that the transcript has been prepared and filed with the court. Upon receiving payment or making arrangements for payment, the court reporter shall indicate which users may have access to the electronic transcript. Access to an electronic copy of the transcript through the electronic filing

system shall serve as a duplicate copy under s. 757.57(5) and SCR 71.04(6). Upon the request of a user who is entitled to view the transcript, a single paper copy of the transcript shall be provided without additional charge. No user shall be granted access to view the transcript unless the court reporter has notified the system or the court has so ordered.

(c) The court reporter shall notify any paper parties by traditional methods that the transcript has been prepared. The court reporter shall serve a paper copy of the transcript by traditional methods on any paper party who has made arrangements for payment or who is entitled to be served with a copy. A court reporter may by agreement make the transcript available in another format.

(d) When notice to the clerk of the supreme court and court of appeals is required, the court reporter shall provide notice by traditional methods until directed otherwise by the supreme court or court of appeals.

(e) A transcript when filed under this section becomes a part of the court file. The transcript shall be made available to the public in accordance with the statutes and rules governing court records and any court orders.

(f) Under SCR 71.04(10)(b), a court reporter may certify that the transcript is a verbatim transcript of the proceedings by applying the court reporter's signature in the same manner as provided in sub. (12)(a) and then electronically filing the transcript.

(g) A court reporter shall electronically file with the circuit court any sentencing transcript prepared under s. 973.08(2). Payment

shall be made as provided by SCR 71.04(5) and s. 973.08(2). The electronic filing system may provide a method to electronically transmit the transcript to the Department of Corrections as provided in s. 973.08(5).

(h) A court reporter shall electronically file an original unredacted transcript with the circuit court. Parties shall comply with the requirements of s. 801.19(4) and s. 801.21(8), regarding redaction and sealing of protected information in the transcript. If redaction is ordered, a court reporter shall electronically file a complete copy of the redacted transcript as provided in s. 801.19(4).

(i) Court reporter notes that are required to be stored under SCR 71.03, SCR 72.01(47), and Rule of Trial Court Administration 7 shall continue to be stored in their original medium.

(16) TECHNICAL FAILURES.

(a) A user whose filing is made untimely as a result of a technical failure may seek appropriate relief from the court as follows:

1. If the failure is caused by the court electronic filing system, the court may make a finding of fact that the user submitted the document to the court in a timely manner by tendering it to the electronic filing system. The court may enter an order permitting the document to be deemed filed or served on the date and time the user first attempted to transmit the document electronically or may grant other relief as appropriate.

2. If the failure is not caused by the court electronic filing system, the court may grant appropriate relief from non-jurisdictional deadlines upon satisfactory proof of the cause. Users

are responsible for timely filing of electronic documents to the same extent as filing of paper documents.

(b) A motion for relief due to technical failure shall be made on the next day the office of the clerk of court is open. The document that the user attempted to file shall be filed separately and any fees due shall be paid at that time.

(c) This subsection shall be liberally applied to avoid prejudice to any person using the electronic filing system in good faith.

Section 7. A Comment to s. 801.18(2) of the statutes is created to read:

Comment

Sub. (2) provides that the mandatory use of electronic filing will be implemented according to a schedule determined by the director of state courts. The director will designate the order and timing of implementation after evaluating the resources available for programming, the readiness of the persons affected, and the logistical support available for implementation. The director may advance or delay implementation of certain case types, may require or exempt participation by certain filers, and may require other conditions as necessary. The director will set the schedule after consultation with the steering committee that oversees the work of the consolidated court automation programs.

All open cases will be converted to an electronic format. Mandatory electronic filing will apply both to new cases and to new documents filed in old cases. This will allow both the court and the parties to more quickly reap the benefits of all-electronic files

rather than persist for years with both paper and electronic court records.

Conversion to electronic files is an enormous change for parties, attorneys, and the court system. Good-faith efforts and cooperation will promote a smooth transition to the new system.

Section 8. A Comment to 801.18(3) of the statutes is created to read:

Comment

Sub. (3)(a) distinguishes between non-attorney filers for purposes of mandatory participation in the electronic filing system. Under s. 799.06(2), certain employees, agents, and LLC members may be authorized to file on behalf of an organization in small claims proceedings. This group of persons includes both high-volume filers like utility companies and hospitals and low-volume filers like small businesses and individual landlords. This section requires the high-volume filers to use the electronic filing system and allows small filers to participate voluntarily like self-represented parties.

Sub. (3)(j) recognizes that there are persons who occasionally file documents in cases where they are not parties, such as witnesses seeking protective orders, intervenors, amicus curiae, and crime victims under ch. 950. There are also many professionals and agencies regularly providing case-related services to the court, such as presentence investigators and social workers. To the extent that it is feasible and resources allow, the director may provide a means for filing documents and exchange of information in these situations.

Section 9. A Comment to 801.18(4) of the statutes is created to read:

Comment

Sub. (4)(c) provides that where personal service is not required, submission of a document to the electronic filing system is considered service on the other electronic users. Just as service through the post office is considered complete upon dropping a properly addressed envelope into a mailbox, service using the electronic filing system is complete upon properly transmitting the document.

Sub. (4)(e) is a change to law and practice. Currently, paper filings must arrive at the office of the clerk of court before the end of the regular business day in order to be considered filed on that day. Northern Air Services v. Link, 2011 WI 75, 336 Wis. 2d 1, 804 N.W.2d 458. However, the most common if not universal practice among courts that mandate electronic filing is to use the entire calendar day as the filing period; this is also the practice recommended to the Wisconsin courts by the National Center for State Courts. This provision gives a user an extra few hours to file on the last day a document is due but does not otherwise affect the calculation of time. If a user files a document or the court signs an order on a day when the clerk's office is closed, it is considered filed on the next day the clerk's office is open, except as provided by other statutes and rules, or by court order.

For consistency, the circuit court fax statute, s. 801.16(2)(f), is also amended. For a document that can be filed by facsimile, paper parties are given the advantage of the extended filing hours by providing that pleadings received before midnight will be considered filed that day.

Section 10. A Comment to 801.18(5) of the statutes is created to read:

Sub. (5) does not change the substantive law about when personal service is required for purposes of commencing the action and obtaining jurisdiction over the defendant or respondent.

Section 11. A Comment to 801.18(6) of the statutes is created to read:

Comment

Sub. (6)(a) provides that the electronic filing system now serves as the means of delivery between users for subsequent documents, the kind that were previously served by mail or delivery. Paper parties will continue to be served by traditional methods for both initiating and subsequent documents.

Sub. (6)(f) outlines how mandatory electronic filing will be initiated on previously filed cases. For cases that are in open status at the time electronic filing becomes mandatory, the clerk will work with attorneys and high-volume filing agents to register as users on their open cases. Parties who are not yet registered but who might be voluntary users will be provided with instructions on how to participate in the electronic filing system if they choose.

For cases that are in closed status, no action is required unless there is further activity on the case. Where post-judgment activity takes place, the first party to initiate electronic activity in the case must serve any unregistered parties by traditional methods. Mandatory users must then register as users on the case.

Section 12. A Comment to 801.18(7) of the statutes is created to read:

Comment

Sub. (7)(a) provides that filing fees shall be paid through the electronic filing system unless other arrangements are made. Payment of fines and forfeitures may be handled through separate websites. Other fees and deposits, such as guardian ad litem fees and condemnation awards, may be paid by other methods if ordered by the court or agreed to by the clerk of court. Attorneys should consult the Rules of Professional Conduct with respect to the restrictions on electronic transactions from trust accounts.

Sub. (7)(b) provides that the electronic filing fee may be waived for indigent parties and their attorneys, using the same procedure and criteria that courts apply to waiver of other costs and fees. If the court denies the waiver, the court may allow time to submit the fee for the filing to be considered filed on the date when it was first submitted.

Sub. (7)(c) provides that the electronic filing fee will not be charged to a Wisconsin governmental unit such as the district attorney, public defender and appointed counsel, court-appointed counsel, child support agency, Attorney General, or county and municipal attorney.

Section 13. A Comment to 801.18(8) of the statutes is created to read:

Comment

Sub. (8)(a) recognizes that the electronic filing system will become more sophisticated and user-friendly over time. Users should expect a number of changes during the initial years of electronic filing. Information about upcoming changes and any new requirements

for equipment, software, formatting, connectivity, security, and staff training will be made available to the public.

Section 14. A Comment to 801.18(9) of the statutes is created to read:

Comment

Sub. (9) provides that court case files must be kept electronically. Mandatory users are required to file all documents electronically, with only a few exceptions. Documents submitted by paper parties will be converted to electronic format by the clerk of court. Because any paper submitted will be discarded after it is imaged, parties should not submit original documents to the court.

Similarly, this section does not require the parties to retain original paper documents. If there is likely to be a challenge to the validity of a document or exhibit, parties may be well-advised to keep the original document. For a high-volume practice, the economics may not support keeping paper originals when the remainder of the file is electronic, and parties may prefer to assume the risk of failure of proof.

Sub. (9)(k) allows most documents submitted in court as exhibits to be imaged and made part of the electronic record, rather than retained in paper format. If the court requires that the original document be produced for inspection, it will be retained pursuant to the supreme court rule governing imaging of exhibits.

Sub. (9)(L) requires an agency submitting an administrative record for review to file an electronic copy of the record.

Section 15. A Comment to 801.18(10) of the statutes is created to read:

Comment

Sub. (10) provides that electronic authentication satisfies the authentication requirements of Wisconsin Statutes, including ss. 801.02, 801.09(4), and 909.02(8). Statutory authentication requirements must be met upon filing of the summons and complaint in order to confer jurisdiction on the court. American Family Mut. Ins. Co. v. Royal Ins. Co., 167 Wis. 2d 524, 534, 481 N.W.2d 629 (1992).

The purpose of authentication is to give assurance by the clerk of court that copies served are true copies of filed documents and to provide the case number for future reference. J.M.S. v. Benson, 91 Wis. 2d 526, 532, 283 N.W.2d 465 (Ct. App. 1979), rev'd on other grounds, 98 Wis. 2d 406 (1980). The security and verifiability provided by the electronic filing system satisfy the purposes of the authentication requirements under statutes and case law.

Section 16. A Comment to 801.18(11) of the statutes is created to read:

Comment

Sub. (11)(e) makes a change to the law governing small claims complaints by eliminating the need for an electronically filed small claims complaint to be verified in front of a notary. Instead, it may be verified by applying the electronic signature of the plaintiff or the plaintiff's attorney to a written oath or affidavit attesting to the facts of the complaint. This change has been made to encourage the use of electronic filing by self-represented parties. The identification procedures and personal accountability provided by this section satisfy the purposes of traditional oath and notarization procedures.

Section 17. A Comment to 801.18(12) of the statutes is created to read:

Comment

Sub. (12)(a) and (d) represent a change to the 2008 electronic filing statute and to current law and practice. Since 2008, electronic filing in Wisconsin has used two processes to identify the lawyer or self-represented party who signs a document: a username and password combination, which allows users into the system, and a personal identification number (PIN), which acts as the signature and is applied personally by the attorney or self-represented party. Application of a separate PIN signature is an extra step compared to other states and the federal courts, where the username and password are sufficient.

The 2008 eFiling committee chose to impose this extra step because of Wisconsin case law regarding improperly signed pleadings. Appellate decisions have reasoned that the statutes require that attorneys personally sign a summons and complaint to confer jurisdiction on the court. The personal signature requirement exists to assure that the pleadings are well-grounded in law and fact, as an "essential protection" against an invalid claim, and to prevent the unauthorized practice of law. See Schaefer v. Riegelman, 2002 WI 18, 250 Wis. 2d 494, 512-13, 639 N.W.2d 715; Jadair, Inc. v. U.S. Fire Insurance Co., 209 Wis. 2d 187, 211-12, 785 N.W.2d 698 (1997).

The new statute supersedes this line of cases and provides that any document submitted through the electronic filing system is considered signed if the document represents that it has been electronically signed by the attorney or self-represented party. The

statutes and rules in other electronic filing jurisdictions provide that attorneys and self-represented parties are responsible for everything submitted to the electronic filing system.

Compliance with this section is intended to satisfy the signature requirements of ss. 801.09(3) and 802.05(1), as well as all other statutes and rules relating to court documents. For users of the electronic filing system, the identification procedures, security, and personal accountability provided by this section are deemed to satisfy the purposes of a handwritten signature and all other signature requirements. The courts and the Office of Lawyer Regulation have a range of sanctions and disciplinary measures that will serve as an adequate deterrent to any abuse of electronic signatures.

Section 18. A Comment to 801.18(13) of the statutes is created to read:

Comment

Sub. (13) provides electronic signatures for those court officials whose duties require them to sign documents in circuit court case files, including circuit court judges, clerks of circuit court, registers in probate, juvenile clerks, and circuit court commissioners appointed under s. 757.68 and SCR 75.02 (1).

Under this section, court officials may allow an authorized staff member to apply the official's electronic signature at the official's specific direction. Each court official remains responsible for approving the document before the electronic signature is applied, and should be held accountable as if the

document were signed personally. The electronic signature shall be applied in accordance with the provisions of SCR 70.42.

Section 19. A Comment to 801.18(14) of the statutes is created to read:

Comment

Sub. (14) provides that the electronic filing system shall protect those case types and individual documents made confidential by law or sealed by court order. The electronic filing system will provide user security measures to allow access only to authorized persons.

s. 801.19 requires that all persons filing documents with the circuit court must review and redact certain protected information about individuals, such as personal identifiers and financial account numbers. S. 801.20 - 801.21 require the filing party to identify any materials deemed confidential by law and to submit a motion to seal if a court order is required. These statutes are intended to work in concert with the electronic filing statute so that all electronic documents are free of protected information. The electronic filing system will mark confidential documents in a way that will be visible electronically and when the documents are printed.

Section 20. A Comment to 801.18(15) of the statutes is created to read:

Comment

Sub. (15) provides that transcripts of court proceedings shall be filed and incorporated into the circuit court record electronically. The director's office will provide access for court reporters to electronically file transcripts and serve them on the

parties who are registered users. The director will provide access for court reporters to view the electronic court record while preparing the transcript, including confidential information.

This section is not intended to change the arrangements for payment made between court reporters and parties. Users will receive service of the transcript via the electronic filing system and will be able to view it electronically when the court reporter notifies the system that payment has been arranged. Upon request, the court reporter will provide a single paper copy to each user who is entitled to view the transcript; otherwise paper copies for users are not required. Paper parties will continue to receive notices and transcripts on paper. Voluntary arrangements may be made to provide the transcript in other formats.

This section is not intended to change any requirements applicable to proceedings before the supreme court and court of appeals.

Section 21. A Comment to 801.18(16) of the statutes is created to read:

Comment

Sub. (16) addresses technical failures of the court's electronic filing system and the user's electronic systems. Court technical failures may include a failure to process the document upon receipt or erroneous exclusion of a user from the service list by the electronic filing system. User technical failures may include problems with the user's internet service provider, payment, office equipment or software, or loss of electrical power.

This section provides guidance for courts dealing with the rare, but probably inevitable, circumstance of the electronic filing system not being available or not functioning as intended. Where the user can demonstrate that the problem was caused by the court's electronic filing system, the circuit court may make a finding of fact that the document is deemed filed or served on the date and time that filing was attempted. The electronic filing system will generate a report for the user to document the problem.

Where the failure is caused by the user's own electronic systems or by external forces, the court should consider what consequences would follow a missed deadline for traditional filings caused by similar forces. Relief may be provided to the extent provided by s. 801.15 and other applicable statutes, court rules, and case law. Where the technical failure was not caused by the court electronic filing system, this section does not provide for relief from jurisdictional deadlines.

Regardless of the cause, the user shall submit a motion for relief on the next business day, along with the document to be filed and any filing fee.

Section 22. 808.075(1) of the statutes is amended to read:

808.075(1) In any case, whether or not an appeal is pending, the circuit court may act under ss. 801.18(16), 804.02(2), 805.15, 805.16, 805.17(3), 806.07, 806.08, 806.15(2), 806.24(4), 808.07(1) and (2) and 809.12.

Section 23. 809.80(3)(a) of the statutes is amended to read:

809.80 (3) FILING OF PAPERS; USE OF MAIL.

(a) *All filings – general rule.* Except as provided in pars. (b) to (e), filing is not timely unless the clerk receives the paper documents within the time fixed for filing. Filing may be accomplished by hand delivery, mail, or by courier. Filing by facsimile is permitted only as set forth in s. 801.16(2)(a) to (e). Documents completing transmission after regular business hours of the clerk are considered filed the next business day.

Section 24. A Comment to 809.80(3) of the statutes is created to read:

Comment

Subd. (3)(a) is amended to maintain the time for filing by facsimile in the appellate courts as the regular business hours of the clerk of the supreme court and court of appeals.

Section 25. 938.022 of the statutes is created to read:

938.022 Electronic filing. Section 801.18 shall govern the electronic filing of documents under this chapter. Electronic filing may be made through a custom data exchange between the court case management system and the automated information system used by district attorneys.

Section 26. 967.12 of the statutes is created to read:

967.12 Electronic filing. Section 801.18 shall govern the electronic filing of documents in criminal actions. Electronic filing may be made through a custom data exchange between the court case management system and the automated information system used by district attorneys.

Section 27. 968.02(1) of the statutes is amended to read:

968.02 (1) Except as otherwise provided in this section, a complaint charging a person with an offense shall be issued only by a district attorney of the county where the crime is alleged to have been committed. A complaint is issued when it is approved for filing by the district attorney. The approval shall be in the form of a written endorsement on the complaint or the electronic signature of the district attorney as provided in s. 801.18(12).

Section 28. 968.12(3)(b) (title) is amended to read:

968.12 (3) (b) (title) Application and issuance.

968.12(3)(b) is renumbered 968.12(3)(b)1. and amended to read:

1. 'Duplicate originals.' The person who is requesting the warrant ~~shall~~ may prepare a duplicate original warrant and read the duplicate original warrant, verbatim, to the judge. The judge shall enter, verbatim, what is read on the original warrant. The judge may direct that the warrant be modified. ~~(e) Issuance.~~ If the judge determines that there is probable cause for the warrant, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. In addition, the person shall sign his or her own name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time when the warrant was ordered to be issued. The finding of probable cause for a warrant upon oral testimony shall be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

Section 29. 968.12(3)(b)2. of the statutes is created to read:

968.12 (3) (b)2. 'Electronic transmission.' The person who is requesting the warrant may sign his or her own name on the warrant and transmit it to the judge. The judge may modify the warrant. If the judge determines that there is probable cause for the warrant, the judge shall order the issuance of a warrant by signing the warrant and entering on the face of the warrant the exact time when the warrant was ordered to be issued. The judge shall immediately transmit the signed warrant to the person who requested it.

Section 30. 968.12(3) (c) is amended to read:

968.12 (3) (c) ~~Issuance.~~ ~~If the judge determines that there is probable cause for the warrant, the judge shall order the issuance of a warrant by directing the person requesting the warrant to sign the judge's name on the duplicate original warrant. In addition, the person shall sign his or her own name on the duplicate original warrant. The judge shall immediately sign the original warrant and enter on the face of the original warrant the exact time when the warrant was ordered to be issued.~~ Probable cause. The finding of probable cause for a warrant upon oral testimony shall be based on the same kind of evidence as is sufficient for a warrant upon affidavit.

Section 31. 968.12(5) of the statutes is created to read:

968.12 (5) SIGNATURES. In this section, a person requesting a warrant and a judge issuing a warrant may sign by using an electronic signature, a handwritten signature, or a handwritten signature that is electronically imaged.

Section 32. SCR 70.42(1) (b) is amended to read:

SCR 70.42

(1) (b) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document. For purposes of the electronic filing system under s. 801.18, stats., a document is electronically signed if it is issued by a court official through the court case management system and bears the name of the court official in the place where a signature would otherwise appear. "Electronic signature" includes only those signature technologies specifically approved by the director.

Section 33. SCR 70.42(1)(c) is created to read:

(c) "Signature," for a document that is electronically filed or issued by the court or clerk, means either an electronic signature applied to an electronic document or a handwritten signature that is subsequently imaged.

Section 34. SCR 72.03(4) is amended to read:

SCR 72.03(4) ~~Provided that they have been offered to the proffering party.~~ Exhibits specified in SCR 72.01(45) and (46) of a documentary nature that are electronically or optically stored may be destroyed after 48 hours if the exhibit submitted to the court is a copy and not the original document. If the exhibit the court has received is an original document, the exhibit may be destroyed 180 days after entry of a final order or judgment, provided that it has been offered to the proffering party, unless the time for appeal has been extended under ss. 809.107, 809.30, or 809.32, stats. In the event of an extension, ~~electronically or optically stored exhibits~~ the exhibit may be destroyed 30 days after the post-termination or post-conviction deadline has expired.

IT IS FURTHER ORDERED that the Comments to the statutes and to the supreme court rules created pursuant to this order are not adopted, but will be published and may be consulted for guidance in interpreting and applying the rule.

IT IS FURTHER ORDERED that the director of state courts, in the course of his or her usual duties under s. 758.19, make periodic reports to this court on implementation and maintenance of the electronic filing system, including establishment of the electronic filing fee at a level sufficient to meet the ongoing costs of the electronic filing program and services.

IT IS FURTHER ORDERED that the rules adopted pursuant to this order shall take effect on July 1, 2016 and mandatory use of the electronic filing system shall be phased in according to a schedule set by the director.

IT IS FURTHER ORDERED that notice of the above amendments be given by a single publication of a copy of this order in the official publications designated in SCR 80.01, including the official publishers' online databases, and on the Wisconsin court system's web site. The State Bar of Wisconsin shall provide notice of this order.

Dated at Madison, Wisconsin, this 28th day of April, 2016.

BY THE COURT:

Diane M. Fremgen
Clerk of Supreme Court

¶1 SHIRLEY S. ABRAHAMSON, J. (*concurring*). Once again I vote in favor of adopting the chief judges' petition to adopt mandatory e-filing in the circuit courts. I supported the chief judges' first petition for mandatory e-filing when it was brought to a court vote in 2015. The majority of the court unfortunately denied the petition at that time. We now have a unanimous vote in favor of mandatory e-filing.

¶2 E-filing is inevitable and should be beneficial for litigants, lawyers, and the judicial system. It will be especially beneficial for county government. The counties will need less space for storing paper court records and will not need to purchase filing equipment. The staff in the county offices of the clerks of circuit court will be able to spend less time inputting data and locating and preparing files for circuit court judges. The need to hire new county employees in the clerks' offices should be decreased and the existing staff should have time to engage in new tasks. Anxious to achieve these results, several counties have been spending county funds to buy scanners for e-filing.

¶3 The short four-page introduction that precedes the 41 pages of the detailed provisions do not do justice to the work of the petitioners and court and county staff or to the richness of the comments of those who wrote to the court or appeared in person at the hearings.

¶4 Most importantly, totally missing is any reference to the key issue of keen interest to all persons involved: HOW TO FUND MANDATORY E-FILING.¹

¶5 The funding mechanism is not set forth in either petition.²

¶6 The amended petition, like the original petition, states that filing fees may be required.³ Wisconsin Stat.

¹ At the open conference on February 23, 2016, I asked that the court discuss funding at its next conference on the petition. The transcript states:

PDR [Roggensack]: We have a . . . request by Justice Abrahamson that we get more financial information.

Wiseye.org video part 3, available at <http://www.wiseye.org/Video-Archive/Event-Detail/evhdid/10551>.

Justice Ann Walsh Bradley strongly voiced the view that fees should be set by the court, not the Director (or Interim Director) of State Courts without approval by the court.

Chief Circuit Court Judge Robert J. Wirtz, one of the co-chairs of the chief judges' committee on e-filing, advised the court that the fee schedule set by the Director of State Courts would be reviewed periodically in consultation with the State Bar of Wisconsin.

I pointed out then and do so again that to the extent it appears that regulation of lawyers is in the hands of the State Bar or other entities, not this court, these entities may be risking antitrust liability. See Mark Walsh, ABA Supreme Court Report, Dental Board Ruling May Drill Into State Bar Associations' Immunity, available at http://www.abajournal.com/magazine/article/dental_board_ruling_may_drill_into_state_bar_associations_immunity.

² Funding for the original petition is described in the 2015-2017 Supreme Court Budget Papers.

§ (Rule) 801.18(7)(c) states: "Users shall be charged a fee for use of the electronic filing system, as provided under s. 758.19(4m) and established by the director of state courts."

¶7 Verbal support for mandatory e-filing has been virtually unanimous. The verbal support, however, frequently presupposes that each commentator's constituents would not bear the costs of implementing and maintaining mandatory e-filing. The litigants themselves—mostly the "little guys" who were not represented personally or as a group in the drafting or adoption of the petition—will initially pay the mandatory filing fees. The total e-filing fee is ultimately paid by the party losing the case.

¶8 The petitioners and commentators refer to a \$20 fee per party for each case.⁴ That amounts to a \$40 mandatory e-filing fee per case if only two parties participate and neither is exempt from the fee. The filers in civil cases will carry the funding load for mandatory e-filing in civil and criminal cases; it is expected that few filers in criminal cases will pay any e-filing fees.

¶9 I do not favor increasing fees and surcharges imposed on litigants if at all possible. The fees and surcharges are

³ The first petition was to be supported by a legislative appropriation of about \$2 million dollars over the biennium and a one-time fee of about \$7 per case filed.

⁴ The court staff has provided projected e-filing revenue and estimated expenditures based on the \$20/\$40 fee. See Attachment B.

already too high and raise access to justice concerns. The court staff has provided a helpful summary of these fees and surcharges and compares them to a proposed e-filing fee, see Attachment A, along with information about civil, family, and small claims cases filed during 2009-2015. See Attachment B.

¶10 Attachment C sets forth projected revenues and expenditures relating to mandatory e-filing. These documents reference equipment that must be purchased to implement mandatory e-filing (and must be periodically replaced). Eight permanent positions for business processing analysts (for which there does not appear to be legislative authority at present) will have to be hired and paid from mandatory e-filing fees.

¶11 CCAP's work on mandatory e-filing affects the operations of the entire court system. The court system runs on CCAP. CCAP staff anticipates that at least 17 projects now on CCAP's "to do" list will have to be postponed while mandatory e-filing is put in place. See Attachment A; see also Attachment D (a letter from the Director of the Board of Bar Examiners filed in response to Petition 15-05, relating to granting continuing legal education credit to lawyers for pro bono activities; letter explains that a project that CCAP has been doing for the Board has not yet been completed and that the Board should not undertake another project needing CCAP assistance before the pending project is completed. There is talk that this project may have to be outsourced, although the petitioners decided against outsourcing the implementation of e-filing).

¶12 Although the staff documents do not detail the bases for the projected revenue and expenditures, the documents provide data for comparing projected and actual revenues and expenditures from mandatory e-filing in the coming months and years.

¶13 At the hearings, I publicly urged the court to consider funding options other than a filing fees paid by litigants. The court refused to discuss the \$20/\$40 fee proposal, refused to take ownership of this fee, and refused to discuss any other possible funding options. I urged the court to amend the proposal to require the Director of State Courts' office (or Interim Director) to report the financial status of e-filing, namely the revenues and expenditures, at fixed, prescribed intervals. Periodic reports should also be made to the court describing the progress in the implementation. Such information would enable the court to act in a timely manner if changes to funding or implementation have to be made. Highlighting the court's disregard of its responsibility to fund and supervise mandatory e-filing, this proposed amendment was denied by a 5-2 vote.

¶14 I prepared and distributed documents demonstrating that beginning on July 1, 2016, the court had the responsibility and opportunity to consider how to allocate several parts of the legislative biennial appropriation. See Attachment E.

¶15 Interim Director J. Denis Moran advised the chief circuit court judges on January 26, 2016, that he plans to

suggest a Supreme Court Rule with an allocation formula based on previous statutes and define the eligible reimbursable costs. No such proposed rule has been filed as of this date.

¶16 Several opportunities apparently exist to use existing appropriations to the court to fund all or part of mandatory e-filing. None have been considered by the court.

¶17 Funds seem to be available. For example, the court system recently increased some staff salaries. The justices were told that money was available, although (even after asking a number of times) we were not told the total sum of the expenditure or the source of the funds. Increasing funding for the Judicial Council and furnishing funds to defray administrative costs of the Access to Justice Commission are on the horizon.

¶18 Other measures have liberated court funds for new expenditures. We have had numerous vacancies in staff positions, for example, and have reduced use of reserve judges, thereby reducing costs.

¶19 Unfortunately the Interim Director's Office has not distributed financial data to the court or to the chief circuit court judges. We are 10 months into the 24-month biennium, and these figures still have not been made available despite requests.

¶20 It is this court's obligation to supervise the expenditure of funds appropriated to the court system and to supervise the operation of the judicial system. By not doing

so, the court is not fulfilling its statutory and constitutional obligations. I strongly object to being prevented from doing my job as a constitutional officer by repeated refusals to give justices basic financial information.


¶21 By adopting mandatory e-filing without addressing funding and court review of the implementation of e-filing, the court is obviously hoping for the best. (I hope for the best too.) The adoption and implementation of any new system, especially one as complex as mandatory e-filing, may in all likelihood lead to confusion, complications, and unanticipated challenges. By ignoring funding and court review, the court is not preparing for the worst. I believe in being prepared for the best and the worst—and everything in between.

¶22 In closing, I write once again to renew my pledge to continue to discharge my duties on this court as the people of the Wisconsin have four times elected me to do. The commitment I made to myself nearly 40 years ago and in four successive elections since then remains: Be independent, impartial, and non-partisan, and help the court system. I will continue to adhere to that commitment whether in the majority or in dissent.

¶23 Each justice is only one voice of seven. I will continue to be one. But I will not be a timid voice as I continue to serve the people of the State of Wisconsin.

¶24 For the reasons set forth, I write separately and urge the court to fulfill its constitutional and statutory obligations.

**SUPREME COURT OF WISCONSIN – DIRECTOR OF STATE COURTS
CONSOLIDATED COURT AUTOMATION PROGRAMS**

Date: February 18, 2016
To: Supreme Court Justices
From: Jean Bousquet 
Subject: eFiling implementation and fee information

For your information I am sending two attachments for the eFiling hearing on Tuesday. The first is an overview of the anticipated expenditures and timeline for the first few years of the project, along with the anticipated revenues from the eFiling fee. The second is some graphic information about how court filing fees have increased over the years and what that means for the eFiling fee. We will be happy to answer questions about this information at the hearing.

We will bring copies to be publicly available at the hearing.

ATTACHMENT A

Electronic Filing Implementation Plan and Costs

Alternative method for electronic filing implementation

The original eFiling implementation plan envisioned simultaneous rollout of all case types, supported through a biennial budget request of \$2.1 million, but the funding was not provided. The Committee of Chief Judges and CCAP have worked together to find an alternative approach that does not require new funds to implement. We have concluded that the best option is to begin mandatory eFiling with civil, family, small claims and paternity cases.

The new plan takes advantage of the fact that so many counties have moved to paperless files and begun to offer voluntary eFiling. Currently 51 Wisconsin circuit courts allow voluntary eFiling for certain civil, small claims and family cases. At least 18 counties are entirely paperless, and many have moved to all-electronic case files in selected case types. This rapid progress will allow CCAP to use existing staff and resources to quickly complete the software development and training for the first four case types.

There are many advantages to starting this way. The initial expense for onsite training will be reduced because staff and judges are already trained to work with electronic files, so training can focus on attorneys and other eFilers. The counties have already been provided with the necessary document scanning equipment to support eFiling for these case types and have done much of the scanning already. The revenues from these case types will be sufficient to fund expansion of the eFiling system for the remaining case types.

In order to implement mandatory eFiling for civil, family, small claims and paternity cases, CCAP must accomplish the following deliverables:

1. Upgrade the eFiling system to conform with the new rule and to current CCAP technology standards

CCAP will use existing programming and analyst resources to update the current eFiling system, which was initially developed eight years ago. Network connections, storage capability, and backup systems will be expanded. New functions will be added in alignment with the proposed Supreme Court Rule. CCAP will incorporate suggestions from current eFilers, judges and court staff to make the system more efficient.

Attachment A lists the changes that are needed to implement eFiling for the civil, family, small claims and paternity case types. **Attachment B** lists the current outstanding requests that will need to be subsequently addressed. We

Electronic Filing Implementation Plan and Costs

anticipate that the majority of these changes will be in place by the end of 2017 as additional case types are developed.

The eFiling development team has already begun work on this project. CCAP staff have been reassigned from other projects to work on eFiling. The major development effort for the eFiling framework and first four case types will conclude in time for the pilot. Additional contractors will be hired in late 2016 to expand eFiling to the remaining case types, using eFiling revenues from the early counties.

The decision to use existing resources for the first phase of the eFiling project impacts CCAP's ability to complete other court-related technology projects. **Attachment C** lists projects that are currently deferred until the eFiling system has been successfully implemented in at least 15 counties.

2. Provide on-site training in each county for court staff, local bar, county agencies and other filers as eFiling is adopted.

CCAP's team of business process analysts are currently creating training guides, designing online tutorials, and providing onsite training to local bar and paralegal associations. Once the initial software development is completed, these staff will travel to all 72 counties to provide training to new users. While there are over 12,000 practicing attorneys in the state, fewer than 1,000 attorneys have participated in eFiling during the past four years, so extensive training for new filers in all counties is expected.

As eFiling rolls out to each county, the business process analysts will be embedded in the courts for several weeks to work directly with court staff, judges, and county agency staff. CCAP will install temporary training networks in each county to provide hands-on training. Webinars and online training videos will supplement this hands-on training and serve as reference material for eFilers after the implementation is concluded. CCAP will also provide training at legal conferences, paralegal training programs, and other venues.

The business process analysts will also provide help desk support for eFilers and their support staff. Additional analyst staff will be needed during 2017 to assist with the added workload as new counties and case types are added. The eFiling fee revenue will be used to fund these new positions.

3. Provide additional hardware to transition from paper to electronic records.

CCAP plans to delay installation of additional desktop scanners and large screen or dual monitors. As noted above, much of the document scanning equipment

Electronic Filing Implementation Plan and Costs

necessary for implementing civil, family, small claims and paternity cases has already been provided, and some clerks have voluntarily provided scanners from their own budgets. As mandatory eFiling is rolled out, an additional 375 scanners will be needed for installation in counties that are not currently participating in voluntary eFiling, to be purchased with eFiling fee revenues in 2017. The cost for these additional scanners will be \$103,100.

CCAP estimates an additional 1,025 desktop scanners will be needed to make all case types available by the end of 2019. The cost for these scanners is \$281,900. Again, the eFiling fee revenue will be used to purchase these additional scanners.

CCAP also plans to delay the installation of large screen or dual monitors. This hardware ensures that court staff can easily review electronic documents while simultaneously viewing case management data. CCAP's current monitors are just large enough to allow court staff to use a split-screen setting to view documents and data together without causing a major burden. CCAP can delay the purchase of the additional 1770 monitors until eFiling fee revenue is available. The cost for these monitors is \$354,000.

Hardware Installation per CCAP Equipment Allocation Policy	Total Installations	Current Installations	2017	2018 -2019
Desktop Scanners	1,820	420	375	1025
Large screen/dual monitors	2,600	830	0	1770

The total cost for scanners implemented in 2017 is \$103,100. The total cost for scanners and monitors to be implemented in 2018-2019 is \$635,900. All hardware purchases will be funded through the eFiling fee.

4. Develop, implement, and provide training for mandatory eFiling on all remaining case types

CCAP will use revenues from the eFiling fee to procure contractors to complete the programming and business analyst work for the remaining case types. Additional training materials and documentation will be created, support services will be available, and extensive on-site training will be provided, all funded by the eFiling fee. Implementation will be ongoing through 2019 as new case types are enabled throughout the state.

Electronic Filing Implementation Plan and Costs

	2016	2017	2018	2019	Ongoing costs
Hardware cost	\$0	\$622,300	\$622,300	\$622,300	\$622,300
New scanners and monitors	\$0	\$103,100	\$318,000	\$318,000	\$0
Development cost	\$120,000	\$240,000	\$120,000	\$120,000	\$120,000
Travel	\$77,200	\$103,900	\$77,200	\$77,200	\$0
Support and implementation	\$0	\$742,400	\$742,400	\$742,400	\$742,400
Total Cost Estimates	\$197,200	\$1,811,700	\$1,879,900	\$1,879,900	\$1,879,900
Revenue Projections	\$256,800	\$2,274,300	\$2,543,600	\$2,244,200	

Notes:

1. Revenues are based on projections of case filings with attorneys representing parties for SC, CV, and FA case types using filing data from 2009 - 2015. Cases with attorneys for indigent filers have been removed.
2. This assumes no revenues in the quarter in which a county is implemented.
3. Hardware costs include ongoing maintenance and support for eFiling infrastructure and equipment replacement in the circuit courts. Costs are averaged over four year life cycle of hardware.
4. Development costs include two contract programmers to begin in third quarter of 2016 through 2017, and reduced to one contract programmer from 2018 on.
5. Support and implementation cost include eight contract business process analysts.
6. Ongoing costs are general estimates due to the rapidly changing nature of technology and other unknowns.

Attachment A

The following list details outstanding functionality that is needed to implement eFiling for the civil, family, small claims and paternity case. This list is comprised of requests made by eFilers, judges, court commissioners and clerks of circuit court, as well as changes needed to support the changes outlined in the modified Supreme Court Rule which mandates eFiling.

1. Ensure eFiling website meets all ADA requirements for visually impaired filers.
2. Remove electronic notarization for small claims cases.
3. Complete eFiling for civil, family, small claims and paternity cases by enabling all class codes.
4. Provide means for specialized non-party filers to electronically file documents.
5. Provide ability to add second signature for various court orders.
6. Provide ability for filers to correct and resubmit a filing that was not accepted by the clerk of circuit court.
7. Make modifications to remove PIN as requirement for electronic signature.
8. Provide means for transferring electronic cases between counties for change of venue.
9. Make modifications to filing deadlines per new SCR.
10. Create method to identify smaller filing agents not required to eFile.
11. Allow filers to submit a petition for waiver of fees and costs as part of the eFiling process.
12. Provide a one step process for attorneys to electronically file Notice of Retainer.
13. Create court debit accounts for attorney to use for payment of court/eFiling fees.
14. Provide mechanism for court reporters to upload electronic transcripts and authorize access to filers based on payment.
15. Provide automated review of transcript timeframes for filers for redaction purposes.
16. Provide payment module and access rights for transcripts.
17. Enhance system to allow filers access to sealed and confidential documents
18. Provide a notification system to allow filers to designate staff and others to receive communication of electronic filings by parties and the court.
19. Provide the ability for filers to link documents together such as a Stipulation and Order.
20. Enhance system for document redaction.
21. Provide the ability for creditors to docket a civil judgment electronically.
22. Provide the ability for debtors to satisfy a civil judgment electronically.
23. Make modifications to allow filers to indicate their speaking language to notify the court if an interpreter is needed for court proceedings.
24. Enhance system to apply fee for filing certain documents on existing cases.
25. Provide the ability for filers to submit an earnings garnishment notice electronically.
26. Create a portal for reserve judges and court commissioners to access electronically filed cases from remote locations.
27. Improve system logging for technical failures.
28. Make modifications to interface technology to transmit eFiling data to each county circuit court.

Attachment B

The following list details the outstanding case types that will need to be enabled for eFiling and additional functionality that will need to be programmed in the later phases of the development process.

Case Type	Description	Case types that will be enabled in later phase of project
AD	Adoption	X
CF	Felony	X
CI	Commitment of an inmate	X
CL	Construction Lien	X
CM	Misdemeanor	X
CO	Condominium Lien	X
CT	Criminal Traffic	X
CV	Civil	Complete
CX	Complex Forfeitures	X
FA	Family	Complete
FJ	Foreign Judgments	X
FO	Non-Traffic Ordinance Violation	X
GN	Guardianships	X
HL	Hospital Lien	X
HT	Habitual Traffic Offender	X
IN	Informal Probate	X
JA	Juvenile Adoption	X
JC	Juvenile CHIPS	X
JD	John Doe	X
JG	Juvenile Guardianship	X
JJ	Juvenile Injunction	X
JJ	Juvenile Judgments	X
JM	Juvenile Civil Commitment	X
JO	Juvenile Civil Law and Ordinance Violations	X
JV	Juvenile Delinquency	X
ME	Civil Commitment	X
ML	Mechanic's Lien	X
OL	Other Lien	X
PA	Paternity	Complete
PR	Probate	X
SC	Small Claims	Complete
TJ	Transcript of Judgment	X
TP	Juvenile Termination of Parental Rights	X
TR	Traffic Forfeiture	X
TW	Tax Warrants	X
UC	Unemployment Compensation	X
WC	Worker's Compensation	X
WL	Wills	X

Attachment B

Following implementation of all case types, we will begin work on these requested enhancements:

1. Develop an interface for large filers to transfer data/documents automatically from attorney case management system to the eFiling system.
2. Provide means for defendants to electronically sign documents in court or remotely during videoconference hearings.
3. Tie online pro se filing assistants for small claims and family sites to eFiling.

Attachment C

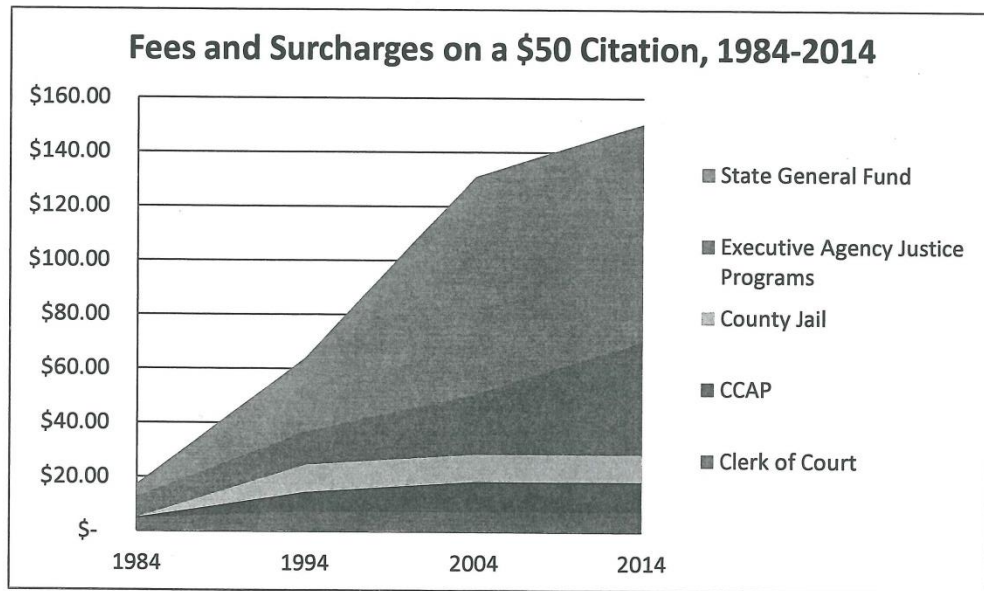
The following list details CCAP projects that are currently deferred until the first phase of the eFiling system has been successfully implemented in at least 15 counties.

1. Upgrade circuit court applications (Case and Financial Management) to version 3.0
2. Improve electronic payment system
3. Transfer termination of assignments from the judicial assignment application to the circuit courts
4. Provide a means for CCAP data to populate standard court forms for circuit court case management users
5. Improve system for administration of user authorities
6. Implement eCourts login for circuit court application authentication
7. Create judicial dashboard application for use with mobile devices
8. Expand state public defender interface
9. Modernize and improve the calendar kiosk hardware and software
10. Review and update court system office suite applications
11. Provide circuit courts with the ability to store converted microfiche files of old case documents on the CCAP network
12. Improve WCCA performance monitoring
13. Provide web link to the Calendar Kiosk application
14. Implement eFiling with district attorneys
15. Expand notification options for the court system website
16. Make enhancements to the current statistical reports application
17. Develop next generation interface technology

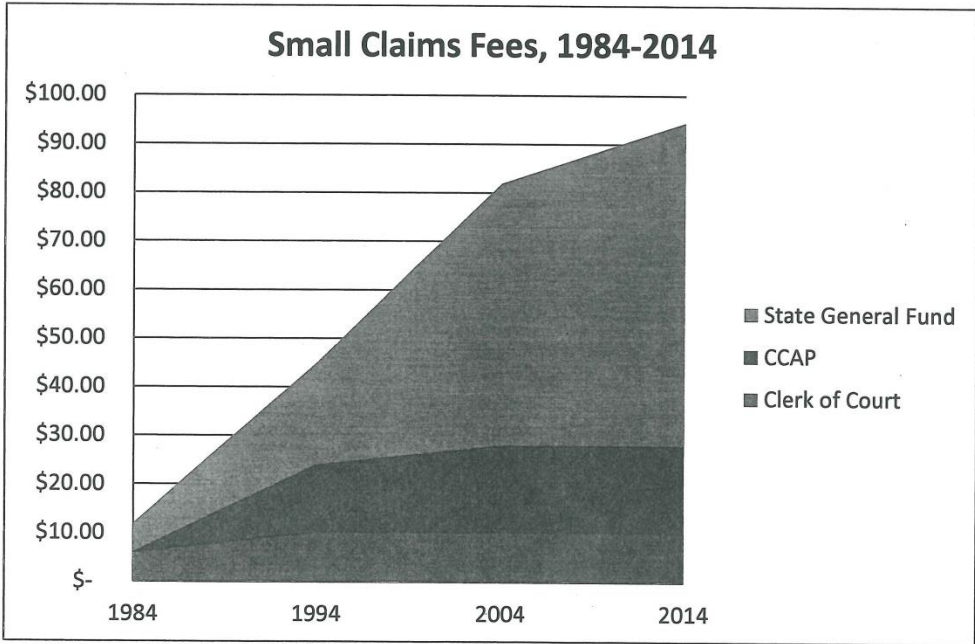
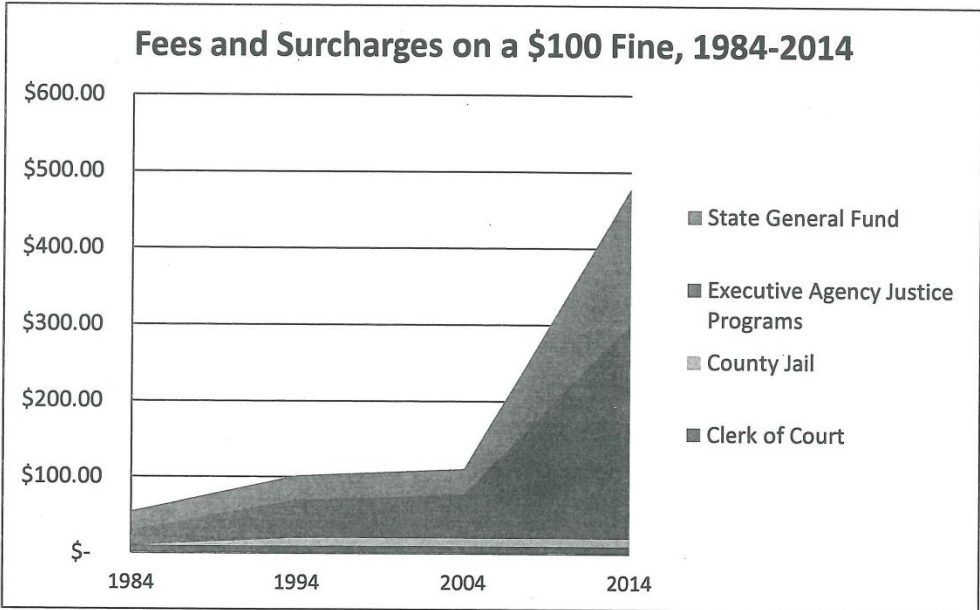
eFiling Fee as an Increase to Court Filing Fees

While court filing fees and surcharges have increased considerably in recent years, none of the money has gone to the courts – all of the new revenues have gone to the general fund and to executive agency programs. The clerk's portion of the filing fee in civil, family, small claims and forfeiture cases has been the same since 1989. The CCAP portion has been the same since 1999. The clerk's portion of the criminal filing fee has not increased since court reorganization. None of the increases in the last 15 years have gone to the judicial branch. The following charts detail the changes in court fees and surcharges over time and where the increases have been allocated.

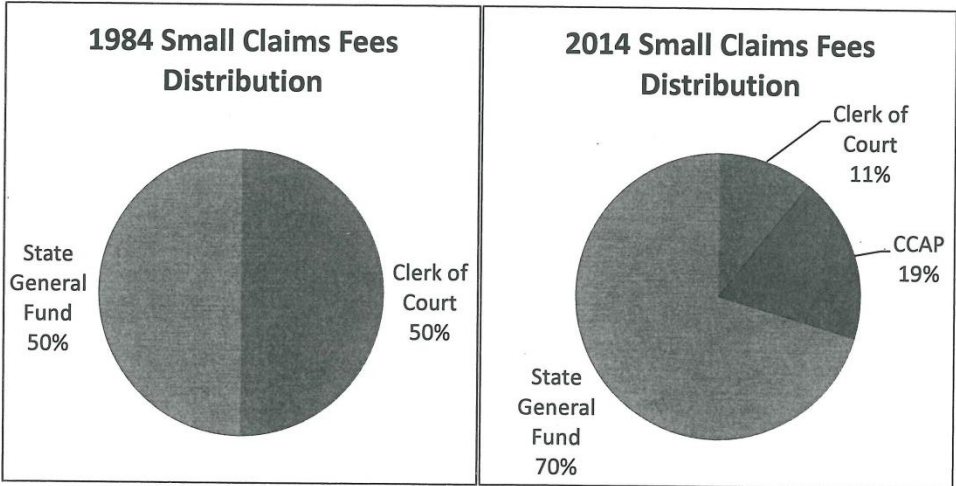
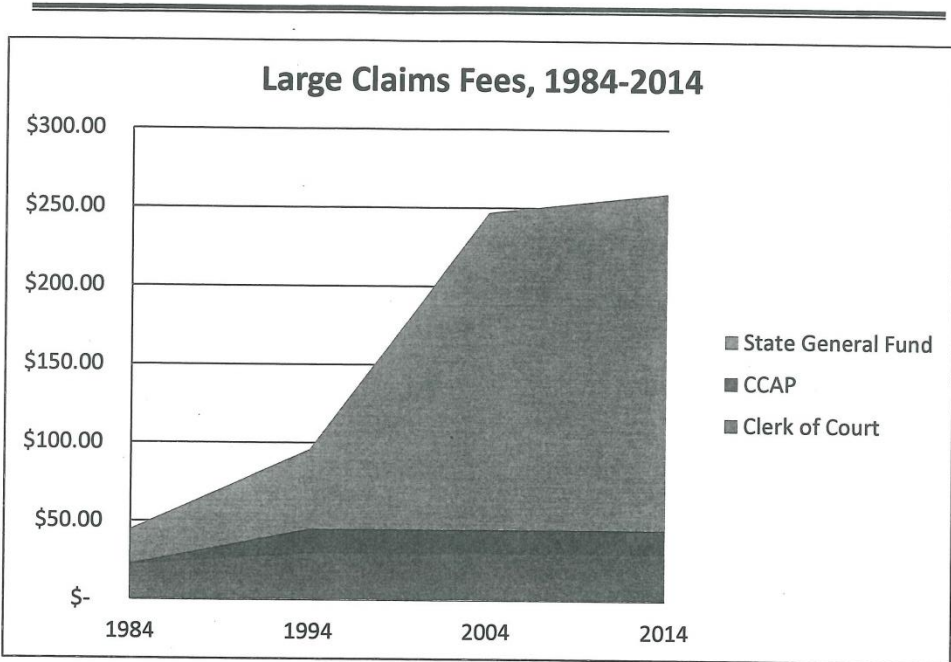
Unlike most other costs and surcharges, the eFiling fee is paid by only by the people who use it, and it provides a direct service in return. The eFiling system delivers documents to the courthouse, serves subsequent pleadings on the other parties, and provides attorneys with 24-7 access to the entire case file. The fee is substantially offset by lower costs for delivery, postage, and paper and staff time, in addition to the added convenience. The eFiling fee will be waived for indigent parties. For all these reasons, the eFiling fee is different from other fee increases, and its impact on access to justice is offset by the indigency waiver and the direct benefits the system provides to the attorneys who use it.



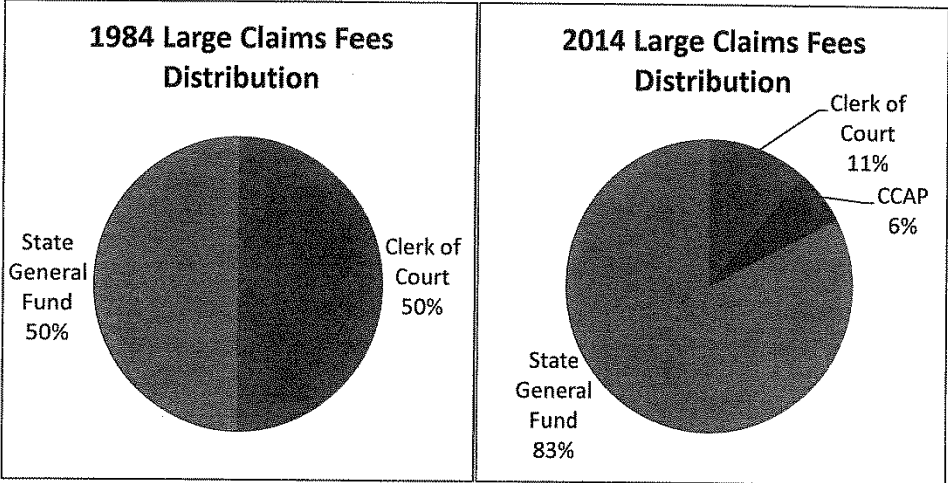
eFiling Fee as an Increase to Court Filing Fees



eFiling Fee as an Increase to Court Filing Fees



eFiling Fee as an Increase to Court Filing Fees



ATTACHMENT B

From: Jean Bousquet
To: Supreme Court Justices
Date: 2/23/2016 1:21 PM
Subject: Attorney filings for civil family and small claims cases 2009 - 2015
CC: Julie Rich
Attachments: Attorney filings for civil family and small claims cases 2009 - 2015.xlsx

Please find attached attorney filing information for small claims, civil, and family cases from 2009 - 2015 as well as projections for 2016 filings. I pulled this spreadsheet together rather quickly, but I believe the numbers are accurate.

Thanks,
Jean

Attorneys filing civil, family and small claims cases from 2009 - 2015 (Projected for 2016)

County	Actual							Projected
	2009	2010	2011	2012	2013	2014	2015	2016
Adams	1,252	1,097	1,098	997	920	869	920	840
Ashland	612	668	677	658	468	491	400	365
Barron	2,309	2,277	1,981	2,128	1,959	1,695	1,623	1,482
Bayfield	409	580	560	489	483	441	337	308
Brown	10,535	10,069	9,288	9,260	8,218	7,584	7,668	7,001
Buffalo	415	376	410	364	321	298	243	222
Burnett	765	784	728	744	596	562	504	460
Calumet	1,338	1,263	1,201	1,210	982	951	942	860
Chippewa	2,602	2,613	2,334	2,220	1,926	1,596	1,698	1,550
Clark	1,034	1,127	911	943	872	722	785	717
Columbia	2,975	2,942	2,700	2,452	2,263	2,013	2,019	1,843
Crawford	738	754	607	574	456	562	522	477
Dane	17,656	17,386	15,798	15,103	13,167	11,907	10,861	9,921
Dodge	3,535	3,740	3,365	3,180	3,218	2,638	2,730	2,492
Door	1,116	1,070	961	1,016	855	766	681	622
Douglas	2,077	2,234	2,250	1,891	1,683	1,623	1,608	1,468
Dunn	1,574	1,504	1,386	1,313	1,245	1,109	1,063	971
Eau Claire	3,788	3,675	3,403	3,201	3,206	2,784	2,664	2,432
Florence	108	136	126	112	98	112	67	61
Fond du Lac	4,084	4,082	3,716	3,808	3,320	3,276	3,063	2,797
Forest	332	357	334	385	314	289	293	268
Grant	1,432	1,382	1,307	1,236	1,068	1,064	920	840
Green	1,450	1,384	1,183	1,187	969	861	786	718
Green Lake	746	731	697	603	575	509	425	388
Iowa	814	768	671	646	571	501	477	436
Iron	236	252	215	221	226	200	136	124
Jackson	918	841	794	808	791	606	591	540
Jefferson	3,820	3,967	3,704	3,386	3,097	2,640	2,620	2,392
Juneau	1,883	1,712	1,638	1,546	1,380	1,214	1,152	1,052
Kenosha	7,983	8,042	7,540	7,488	6,777	6,036	5,535	5,053
Kewaunee	670	667	595	547	469	487	451	412
La Crosse	4,217	3,859	3,692	3,499	3,073	3,243	2,679	2,446
Lafayette	551	514	396	406	329	299	326	298
Langlade	1,082	1,174	1,005	888	803	717	667	609
Lincoln	1,617	1,379	1,353	1,217	1,168	1,086	914	834
Manitowoc	3,022	3,275	2,833	2,924	2,795	2,448	2,184	1,994
Marathon	7,077	6,795	6,006	5,533	4,975	4,676	4,112	3,754
Marinette	1,579	1,559	1,547	1,405	1,286	1,211	1,053	961
Marquette	726	635	502	565	486	375	407	372
Menominee	67	49	72	76	89	61	81	74
Milwaukee	54,539	54,119	50,992	50,231	47,446	42,713	41,412	37,817
Monroe	2,268	2,073	1,878	1,585	1,582	1,523	1,358	1,240
Oconto	1,461	1,516	1,290	1,350	1,062	1,068	919	839
Oneida	1,855	1,776	1,907	1,768	1,321	1,307	1,181	1,078
Outagamie	7,439	7,357	6,214	6,695	5,717	5,278	4,886	4,461

Attorneys filing civil, family and small claims cases from 2009 - 2015 (Projected for 2016)

Ozaukee	3,193	3,266	2,656	2,545	2,264	1,968	1,763	1,610
Pepin	207	268	195	185	182	147	178	163
Pierce	1,249	1,216	1,195	1,120	910	877	814	743
Polk	2,142	2,179	1,987	2,033	1,539	1,376	1,291	1,179
Portage	3,083	3,209	3,034	2,255	1,856	1,961	1,496	1,366
Price	524	551	467	414	478	392	378	345
Racine	8,882	8,954	7,576	7,887	7,348	6,435	6,353	5,800
Richland	598	694	590	637	491	373	409	373
Rock	7,728	7,413	6,829	6,529	5,760	5,127	5,097	4,654
Rusk	702	689	719	649	589	537	618	564
Sauk	4,030	4,071	3,597	3,675	2,913	2,439	2,390	2,182
Sawyer	749	864	707	732	620	574	574	524
Shawano	1,718	1,898	1,592	1,498	1,340	1,180	937	855
Sheboygan	5,568	4,863	4,490	4,535	4,519	3,827	3,397	3,101
St Croix	3,629	3,616	3,238	3,034	2,659	2,248	2,144	1,957
Taylor	754	806	605	669	581	542	430	393
Trempealeau	1,209	1,081	1,142	1,004	964	903	748	683
Vernon	995	1,026	842	793	722	713	695	635
Vilas	1,113	1,136	1,084	895	815	731	662	604
Walworth	4,803	4,998	4,532	4,267	4,003	3,055	2,772	2,531
Washburn	875	825	794	701	642	582	573	523
Washington	5,097	5,369	4,800	4,493	4,014	3,651	3,643	3,326
Waukesha	15,271	15,741	14,232	13,807	11,602	10,528	10,055	9,180
Waupaca	2,448	2,462	2,270	2,167	1,705	1,515	1,312	1,198
Waushara	1,086	1,123	981	823	784	689	587	536
Winnebago	7,769	7,202	6,261	6,586	5,596	5,199	4,896	4,470
Wood	2,865	2,732	2,592	2,489	2,221	2,206	1,904	1,738
Totals	254,993	252,812	230,872	224,280	201,742	182,186	172,079	157,121
Fee waivers						3,987	3,915	3,951
Adjusted Total						178,199	168,164	153,170
*Attorneys that would pay for eFiling in 2016 are projected from filings with attorneys from 2009 - 2015 for the following case types: SC, CV, FA. Indigent filers with attorneys have been adjusted for 2014 and 2015 and 2016.								
**Projected fee waivers for 2016 is an average of 2014 and 2015.								
***Attorney numbers are projected through 2016 based on a regression analysis. Projections become less reliable further into the future, but the revenue projections on the "Electronic Filing Plan and Costs," page 5, assume that the number of filings will continue to drop.								

County	Actual							2016
	2009	2010	2011	2012	2013	2014	2015	
Totals	254,993	252,812	230,872	224,280	201,742	182,186	172,079	157,121

Projected			
2017	2018	2019	2020
142,152	127,183	112,214	97,246

ATTACHMENT C

**SUPREME COURT OF WISCONSIN – DIRECTOR OF STATE COURTS
CONSOLIDATED COURT AUTOMATION PROGRAMS**

Date: March 8, 2016
 To: Supreme Court Justices
 From: Jean Bousquet
 Subject: Mandatory eFiling Fee, Projected Revenues and Expenditures

For your information please find attached a document that provides additional information about the eFiling projected revenue and estimated expenditures.

Justice Abrahamson also raised three specific questions that I will respond to here.

1. *How does this revenue and expense stream compare with the Budget proposal you drafted for the legislature for the biennial budget?*

It doesn't. It is premised on different and more fully developed assumptions. The biennial budget did not include any projected revenues and the costs were limited to those related to development and initial implementation over the two-year budget cycle. It also did not address the need for permanent positions. Since then, we have revised our projections to account for other factors. Development costs increased because we are now re-writing the eFiling system into our new programming framework instead of the 8-year-old existing framework. In addition, the original \$5.75 proposed fee was based on attorney numbers taken from a 3-year case filing average, 2011-2013. We are now using long-term trend data, 2009-2015, which shows a strong and steady downward trend in the number of cases filed. Finally, our method of estimating the number of attorneys included GALs, who will no longer pay the eFiling fee, and attorneys who represent multiple parties, who now will pay only one eFiling fee per case.

2. *Also to what extent is the revenue generated by e-filing going to be used to fund CCAP general expenses (with CCAP revenue declining).*

The eFiling revenue will not fund CCAP general expenses. However, the projected revenue generated from the \$20 eFiling fee will be sufficient to fully fund the entire supporting infrastructure for eFiling in addition to the development, support and implementation of the system. The goal is to fully fund the eFiling program at a sustainable level, without passing on other court system technology costs to the eFiling users.

Beginning in 2017 the \$20 eFiling fee is projected to provide adequate funding for all eFiling related expenses. At that time CCAP will no longer need to fund any eFiling-related software development, implementation, support, or hardware expenses from its base budget. This should help alleviate the strain on CCAP operations due to steadily decreasing annual revenues. The eFiling program must be fully funded in order to ensure the success of mandatory eFiling and also to support the expectations and technology needs of the users. The \$20 eFiling fee model meets these requirements.

3. *If we raised \$2.2 million from other sources (like the county and like an attorney assessment) can the system be maintained with a single \$7-\$8 one time fee for all non-indigent, no-govt filers?*

No. This funding model will not sustain the eFiling project throughout the implementation phase or for the long term. The start-up funding would cover the expenses related to eFiling through 2017. But expenses would start to outpace revenues by a 2:1 margin in 2017, and the program would run a permanent deficit starting in 2019. Good program management requires generating enough revenue to cover all components needed for eFiling and funding must be predictable and sustainable. The eFiling program is not sustainable with an \$8 fee.

We ran this scenario using our new projected attorney numbers and updated cost estimates. It is Appendix O in the attached document.

Cc: J. Denis Moran

Mandatory eFiling Fee, Projected Revenues and Expenditures

Introduction

This paper describes the financial aspects of the first four years of the mandatory eFiling program. As with similar projects, early expenditures are higher than revenues. However, over the four-year plan, total revenue from the planned \$20 fee is sufficient to cover ongoing expenditures. To ensure financial stability, the plan errs on the side of sufficient revenue. Beyond four years, expenditures and revenues are unpredictable. The adequacy of the \$20 fee can be reassessed in the future.

Project Phases

CCAP's eFiling system will be built in two phases. Phase 1 is from now through December 2017. Four case types will be developed and implemented during phase 1: civil, family, small claims, and paternity.

Phase 2 will bring all the remaining case types on board. Programming will begin later in 2016, and county implementations will occur through 2019 as additional case types are enabled.

Factors Affecting Revenue

Revenue from eFiling is influenced by three general factors: *pace* of eFiling rollout, *variability of revenue* among different case types, and *declining case numbers* in the court system generally.

1. *Pace of the rollout*: eFiling revenue will increase in direct relation to the number and size of counties as they are implemented. The phase 1 revenue projections gradually increase as new counties are brought on.
2. *Variability of revenue among different case types*: The greatest revenues are expected from civil, family, small claims, and probate cases. Lower revenues are expected from all other case types because more government attorneys, who are exempted from the eFiling fees, will be involved. Indigency waivers were also accounted for.
3. *Declining case numbers*: The number of cases filed in civil, family, and small claims has been declining. For the purpose of projection it is assumed this trend will continue. (See Figure 1.) Other case type filings have been fairly level since 2010. The revenue projections account for these trends.

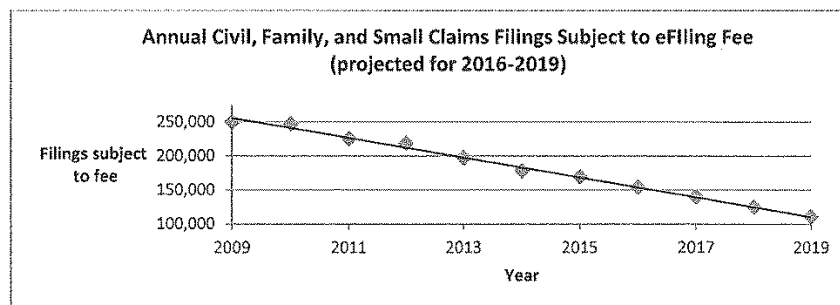


Figure 1. Overall downward trend in civil, family, and small claims filings subject to eFiling fee.

Mandatory eFiling Fee, Projected Revenues and Expenditures

Revenue Estimates

Phase 1

Considering these three factors, we calculated expected revenues for the two phases. For phase 1, we used the following county-by-county approach:¹

- a. Assign each county to the calendar quarter when it is likely to implement mandatory eFiling. Assume that revenue will be collected from a county beginning the quarter following its implementation.
- b. Project the number of cases to be filed in 2016-2017 that will be subject to the eFiling fee.
- c. Base the revenue projections on parties with attorneys in civil, family, and small claims cases in each county from 2009-2015. Omit cases where a fee waiver for indigency was granted.
- d. Apply a fee of \$20 to the projected number of applicable cases filed in each county.

As illustrated in Figure 2, filings in phase 1 are expected to increase in each quarter from 2016-2017 as more counties join the system. Once all counties are on board in 2018, revenues are expected to level off. Revenues will then begin to decline in 2019 because of the overall downward trend in filings.

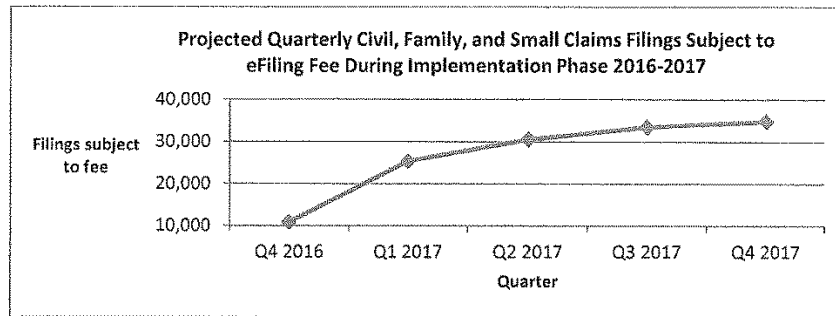


Figure 2. Projected filings by calendar quarter, Q4 2016 through Q4 2017.

Phase 2

We used a similar analysis for phase 2 revenues. We looked at each of the remaining case types and estimated the number of attorneys participating, then adjusted for cases with fee waivers and government attorneys. Apart from probate cases, the remaining case types have a lower rate of participation by private bar attorneys, and therefore a lower rate of eFiling fees.

¹ Appendices A through G provide a detailed breakdown of filings from 2009 through 2015 for civil, family, and small claims cases, including attorney participation and fee waiver information. Appendices H through K show detailed projections for these case types for 2016 through 2019. We did not include paternity cases because of the very small number of private attorneys participating.

Mandatory eFiling Fee, Projected Revenues and Expenditures

Because we do not yet have a county-by-county rollout schedule for phase 2, the projected revenues were spread evenly over the two-year period.

Revenue projections for 2018 and 2019 are obviously less certain. Two points should be noted. First, phase 2 case types do not currently show the recent downward trend that phase 1 case types do. Therefore, we expect revenues from phase 2 case types to remain relatively steady once all counties are implemented. On the other hand, filings for phase 1 case types — for which eFiling revenue is expected to rise during 2017 — will begin to decline in 2018, due to the overall downward trend in those case types.

We cannot accurately predict case filings in 2018 and 2019 because the downward trend in total filings may or may not continue. To be conservative, we assumed the downward trend will continue. There is no reliable basis on which to project filings or revenues past 2019.

Expenditure Estimates

We estimated the expenditures associated with phases 1 and 2, including the costs for new hardware, infrastructure, development (programming), and implementation (training and user support). We also estimated the ongoing annual expenditures for the eFiling system after all development is complete in 2019.

1. Phase 1 expenditures for statewide implementation of civil, family, small claims, and paternity.

CCAP employees and contractors started spending a significant part of their time on the eFiling project in the 4th quarter of 2015 and this will continue well into 2016. After mandatory eFiling goes into effect in July 2016, current CCAP staff will travel to each county to provide hands-on training and support during the early implementations.

Later in 2016, CCAP will hire 8 business analyst contractors to provide support for the remainder of the rollout, including phone support and online resources. At the same time, CCAP will perform infrastructure upgrades to support additional network traffic and storage needs. See Appendix L for projected expenditures of phase 1.

Development work for phase 1 case types will taper off in late 2016 as CCAP shifts to ongoing support and maintenance.

2. Phase 2 expenditures for statewide implementation for all remaining case types, 2016-2019.

Once the development is complete for the first four case types, two contract programmers will be hired to complete development of the remaining case types. This work will be spread over several years, with the bulk occurring during 2017.

When the software is ready, the 8 business analyst contractors will again travel to the counties to roll out new case types and provide user support. Additional scanners and monitors will be needed, along with infrastructure replacements and maintenance. See Appendix M for projected expenditures of phase 2.

3. Ongoing expenditures for eFiling support and maintenance, 2020 and beyond.

Like any other complex information system, the eFiling system and underlying infrastructure will require ongoing maintenance and support. The software will be modified to accommodate changes in statutory and case law and to respond to trends in legal practice. New users will need training and support. Current users will ask for new features,

Mandatory eFiling Fee, Projected Revenues and Expenditures

conveniences and bug fixes. Aging hardware will have to be replaced. The system will need to be responsive to advances in technology. The eFiling system will serve approximately 30,000 users per year, so the demand for services will be high.

For those reasons, eFiling will require a substantial annual expenditure even after the rollout is complete. Appendix N shows a detailed breakdown of these expenditures. It reflects the replacement cycles of various hardware components, ongoing support and maintenance for the eFiling infrastructure, one development (programmer) position, and 8 business analyst positions to provide ongoing user support and training.

Balance Sheet

At the beginning of the project, eFiling expenditures will exceed revenues. As counties are added to the project and revenues increase, the situation will reverse. This is illustrated in the balance sheet on page 5.

There are a few points to note about the sheet. First, although we have operated a small voluntary eFiling program for some time, the focus of the balance sheet is on the mandatory eFiling project work beginning in 2015. This is why the opening balance for the project is shown as zero in 2015.

Second, the bottom row reports the difference between expenditures and revenues for each year, viewed in isolation. As noted, annual expenditures exceed annual revenues at the start of the program, and reverse later.

Third, the balance sheet portrays revenue and expenditures for eFiling as a distinct project. Viewed that way, eFiling has a negative balance at the beginning and a positive balance by the end. The goal is to align eFiling revenue with expenditures over a multi-year span. The sheet illustrates that the planned \$20 fee does so by 2019, erring on the side of sufficient revenue.

The sheet portrays eFiling as a separate project, but, as a matter of cash management, it is merely part of CCAP's overall program revenue appropriation. Although we face a declining revenue problem that will have to be addressed in the next few years, with careful management our cash balance will be adequate to temporarily absorb the initial negative balance of the eFiling project. Over the longer term, eFiling has to cover its own costs, which it will do under the planned \$20 eFiling fee.

We did not project revenues and expenses beyond 2019 because of uncertainties, including the declining case numbers. As with any fee-funded program, revenues and expenditures will be monitored throughout implementation to ensure that eFiling is covering its own expenditures on a multi-year basis. After the rollout is complete, the fee can be reviewed to be sure it is set at a level needed to fund an eFiling system that meets the needs of the court system, the bar, and litigants.

Mandatory eFiling Fee, Projected Revenues and Expenditures

Statewide eFiling Development
 Projected Year-by-Year Balance Sheet
 Calendar Year 2015 Through 2019

Reports year-by-year revenues and expenditures attributable to eFiling itself, as a separate project from overall CCAP operations.

	2015 ¹	2016 ²	2017	2018	2019
Opening Balance	\$0	(\$140,000)	(\$670,000)	(\$200,000)	\$430,000
Revenue³					
From case types:					
SC, CV, FA, PA	70,000	250,000	2,480,000	2,500,000	2,210,000
AD, FO, GN, JC, JG, JO, PR, TP, TR, WL ⁴				220,000	630,000
Total Revenue	70,000	250,000	2,480,000	2,720,000	2,840,000
Expenditures					
New Hardware Costs	70,000		100,000	320,000	320,000
eFiling Infrastructure Maintenance Cost			830,000	830,000	830,000
Development Costs	140,000	700,000	240,000	120,000	120,000
Implementation & Support Costs		80,000	840,000	820,000	820,000
Total Expenditures	210,000	780,000	2,010,000	2,090,000	2,090,000
Closing Balance	(\$140,000)	(\$670,000)	(\$200,000)	\$430,000	\$1,180,000
Net over/under spending during the year⁵	(\$140,000)	(\$530,000)	\$470,000	\$630,000	\$750,000

¹ 2015 opening balance for the eFiling project is considered to be zero. Previous eFiling development revenues and costs were in support of voluntary eFiling.

² eFiling fee changes from \$5 to \$20 effective with implementation of mandatory eFiling.

³ Revenues are based on a \$20 fee per attorney per case. Cases with no attorneys are not counted, and if an attorney represents more than one party on a case they are counted only once. Government attorneys and attorneys representing indigent filers are not included.

⁴ Revenue from criminal and juvenile delinquency (CF, CM and JV) case types has not been added as privately retained counsel information is not readily available.

⁵ Indicates the single year difference between revenue and expenditures. The program is expected to run a deficit in early years, offset by revenues in later years.

Appendix A

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2009

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	530	3	91	34	613	2	1,234	39
Ashland	266	4	112	14	224	1	602	19
Barron	791	6	344	44	1,136	1	2,271	51
Bayfield	228	2	40	6	139	0	407	8
Brown	4,285	2	717	21	5,408	0	10,410	23
Buffalo	181	0	66	9	168	0	415	9
Burnett	383	4	103	15	272	0	758	19
Calumet	582	0	173	0	544	0	1,299	0
Chippewa	973	10	371	42	1,214	1	2,558	53
Clark	380	0	86	5	558	2	1,024	7
Columbia	1,206	3	436	24	1,267	2	2,909	29
Crawford	227	0	112	7	394	0	733	7
Dane	7,875	40	1,773	212	7,827	39	17,475	291
Dodge	1,474	0	573	34	1,436	2	3,483	36
Door	567	0	81	11	452	0	1,100	11
Douglas	829	0	272	8	952	0	2,053	8
Dunn	670	6	289	17	575	0	1,534	23
Eau Claire	1,483	7	641	93	1,593	2	3,717	102
Florence	54	0	24	1	29	0	107	1
Fond du Lac	1,510	1	511	49	1,989	0	4,010	50
Forest	140	0	32	3	158	0	330	3
Grant	474	0	278	12	646	0	1,398	12
Green	605	1	167	15	650	0	1,422	16
Green Lake	373	0	67	0	302	0	742	0
Iowa	375	3	96	6	342	1	813	10
Iron	125	0	25	1	80	0	230	1
Jackson	291	0	106	5	501	2	898	7
Jefferson	1,410	1	704	198	1,604	1	3,718	200
Juneau	581	5	258	24	1,011	3	1,850	32
Kenosha	3,685	8	764	80	3,406	2	7,855	90
Kewaunee	315	3	91	12	244	0	650	15
La Crosse	1,606	0	458	12	2,136	5	4,200	17
Lafayette	278	0	61	1	211	0	550	1
Langlade	384	0	151	1	547	0	1,082	1
Lincoln	532	0	256	1	806	0	1,594	1
Manitowoc	1,096	1	500	88	1,363	0	2,959	89
Marathon	2,267	8	1,016	68	3,715	2	6,998	78
Marinette	745	3	146	7	684	0	1,575	10
Marquette	304	3	70	7	345	1	719	11
Menominee	22	0	0	0	45	0	67	0
Milwaukee	22,969	20	3,528	197	27,770	58	54,267	275
Monroe	738	0	380	15	1,150	3	2,268	18
Oconto	724	1	211	21	526	0	1,461	22

Appendix A

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2009

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	785	6	186	13	871	0	1,842	19
Outagamie	3,171	0	811	27	3,331	0	7,313	27
Ozaukee	1,356	2	508	5	1,296	0	3,160	7
Pepin	101	0	34	6	69	0	204	6
Pierce	593	0	219	21	418	0	1,230	21
Polk	1,116	0	251	25	753	2	2,120	27
Portage	991	0	302	22	1,771	0	3,064	22
Price	228	0	75	0	218	0	521	0
Racine	3,903	3	1,284	69	3,509	8	8,696	80
Richland	277	0	72	9	244	0	593	9
Rock	3,238	1	1,215	120	3,145	4	7,598	125
Rusk	219	0	90	4	378	2	687	6
Sauk	1,402	3	614	46	1,924	0	3,940	49
Sawyer	375	0	73	2	296	0	744	2
Shawano	746	0	180	21	751	0	1,677	21
Sheboygan	1,901	0	627	43	2,956	1	5,484	44
St Croix	2,121	2	368	25	1,095	0	3,584	27
Taylor	278	1	127	2	339	0	744	3
Trempealeau	380	0	220	26	586	0	1,186	26
Vernon	393	0	136	6	454	1	983	7
Vilas	506	0	138	4	459	0	1,103	4
Walworth	2,366	1	528	54	1,833	2	4,727	57
Washburn	411	0	141	2	323	0	875	2
Washington	2,285	17	780	65	1,970	0	5,035	82
Waukesha	6,942	7	2,122	48	6,077	6	15,141	61
Waupaca	1,050	2	221	8	1,140	0	2,411	10
Waushara	487	0	107	10	473	0	1,067	10
Winnebago	3,170	2	735	25	3,804	1	7,709	28
Wood	1,028	0	311	21	1,513	0	2,852	21
Total	106,352	192	28,655	2,149	117,028	157	252,035	2,498

Appendix B

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2010

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	509	2	78	14	493	1	1,080	17
Ashland	237	4	80	10	335	1	652	15
Barron	787	4	384	56	1,060	0	2,231	60
Bayfield	255	3	64	6	249	0	568	9
Brown	4,408	1	732	20	4,797	0	9,937	21
Buffalo	139	0	75	5	162	0	376	5
Burnett	372	1	115	28	281	0	768	29
Calumet	525	0	173	2	532	1	1,230	3
Chippewa	998	9	430	61	1,114	0	2,542	70
Clark	451	2	101	3	562	0	1,114	5
Columbia	1,167	3	455	36	1,253	0	2,875	39
Crawford	279	0	101	6	355	0	735	6
Dane	8,198	32	1,663	180	7,359	45	17,220	257
Dodge	1,475	1	688	58	1,527	0	3,690	59
Door	557	4	100	14	396	1	1,053	19
Douglas	814	1	278	12	1,130	0	2,222	13
Dunn	629	19	315	24	520	0	1,464	43
Eau Claire	1,471	10	623	63	1,524	3	3,618	76
Florence	64	1	24	1	48	0	136	2
Fond du Lac	1,489	3	570	39	1,947	0	4,006	42
Forest	144	2	36	6	172	0	352	8
Grant	525	2	274	12	554	0	1,353	14
Green	615	1	166	31	577	1	1,358	33
Green Lake	359	0	77	0	292	0	728	0
Iowa	400	4	92	2	276	0	768	6
Iron	106	0	27	4	116	0	249	4
Jackson	277	0	131	5	417	0	825	5
Jefferson	1,495	4	838	199	1,528	1	3,861	204
Juneau	578	10	240	37	863	2	1,681	49
Kenosha	3,813	17	783	39	3,295	10	7,891	66
Kewaunee	294	1	88	15	275	0	657	16
La Crosse	1,588	0	403	13	1,850	4	3,841	17
Lafayette	235	0	70	1	209	0	514	1
Langlade	384	0	165	2	625	0	1,174	2
Lincoln	519	5	136	0	709	0	1,364	5
Manitowoc	1,334	4	476	62	1,402	3	3,212	69
Marathon	2,396	8	888	25	3,452	6	6,736	39
Marinette	736	0	174	7	644	0	1,554	7
Marquette	298	0	68	21	260	0	626	21
Menominee	20	0	0	0	29	0	49	0
Milwaukee	23,229	27	4,225	241	26,361	51	53,815	319
Monroe	776	4	324	13	971	3	2,071	20
Oconto	776	0	176	11	562	0	1,514	11

Appendix B

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2010

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	749	1	195	12	818	0	1,762	13
Outagamie	3,282	1	954	27	2,989	0	7,225	28
Ozaukee	1,435	5	522	10	1,259	0	3,216	15
Pepin	151	1	42	2	68	0	261	3
Pierce	637	3	180	25	373	1	1,190	29
Polk	1,046	9	304	24	806	1	2,156	34
Portage	1,003	1	366	15	1,811	0	3,180	16
Price	207	0	88	0	247	0	542	0
Racine	4,262	2	1,335	52	3,160	0	8,757	54
Richland	276	0	82	9	326	0	684	9
Rock	3,176	3	1,362	135	2,748	3	7,286	141
Rusk	261	0	61	2	350	1	672	3
Sauk	1,673	5	586	76	1,727	2	3,986	83
Sawyer	442	4	79	1	339	0	860	5
Shawano	696	0	230	19	935	0	1,861	19
Sheboygan	1,859	0	630	39	2,303	1	4,792	40
St Croix	1,986	4	380	35	1,199	1	3,565	40
Taylor	302	0	129	2	364	0	795	2
Trempealeau	427	12	179	18	462	0	1,068	30
Vernon	400	0	176	11	427	0	1,003	11
Vilas	533	1	137	2	456	0	1,126	3
Walworth	2,604	3	480	53	1,839	0	4,923	56
Washburn	340	0	132	7	348	0	820	7
Washington	2,348	6	923	77	2,030	4	5,301	87
Waukesha	7,301	23	2,053	30	6,251	7	15,605	60
Waupaca	974	1	215	13	1,237	0	2,426	14
Waushara	493	1	120	16	497	0	1,110	17
Winnebago	2,981	2	796	26	3,331	2	7,108	30
Wood	977	1	381	36	1,362	0	2,720	37
Total	108,542	278	30,023	2,158	111,145	156	249,710	2,592

Appendix C

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2011

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	391	0	57	7	639	0	1,087	7
Ashland	236	0	85	4	345	0	666	4
Barron	646	5	300	69	989	2	1,935	76
Bayfield	226	1	57	1	266	0	549	2
Brown	3,567	0	710	18	4,875	1	9,152	19
Buffalo	178	0	53	3	179	0	410	3
Burnett	319	5	81	17	314	2	714	24
Calumet	415	0	151	2	552	0	1,118	2
Chippewa	957	13	354	41	982	3	2,293	57
Clark	330	0	71	2	506	0	907	2
Columbia	993	5	424	31	1,222	1	2,639	37
Crawford	232	0	83	3	286	0	601	3
Dane	6,780	41	1,582	161	7,262	67	15,624	269
Dodge	1,090	6	642	57	1,616	2	3,348	65
Door	428	2	90	17	418	0	936	19
Douglas	704	1	232	8	1,286	2	2,222	11
Dunn	523	15	277	33	550	1	1,350	49
Eau Claire	1,258	8	570	62	1,516	2	3,344	72
Florence	63	0	31	3	28	0	122	3
Fond du Lac	1,171	1	528	37	1,963	5	3,662	43
Forest	127	1	29	2	175	1	331	4
Grant	461	0	246	13	568	1	1,275	14
Green	499	5	156	21	510	1	1,165	27
Green Lake	317	0	80	9	291	0	688	9
Iowa	319	2	83	1	266	1	668	4
Iron	120	0	20	0	75	0	215	0
Jackson	256	1	108	6	413	0	777	7
Jefferson	1,255	7	692	164	1,666	0	3,613	171
Juneau	461	7	229	29	915	0	1,605	36
Kenosha	3,230	4	734	57	3,451	2	7,415	63
Kewaunee	265	0	81	3	229	0	575	3
La Crosse	1,326	0	445	9	1,897	5	3,668	14
Lafayette	168	0	53	2	175	1	396	3
Langlade	290	1	173	5	542	0	1,005	6
Lincoln	491	3	125	0	722	1	1,338	4
Manitowoc	1,000	8	407	57	1,368	3	2,775	68
Marathon	1,905	4	1,013	42	3,032	3	5,950	49
Marinette	582	5	210	11	750	0	1,542	16
Marquette	244	0	45	5	205	1	494	6
Menominee	13	0	4	0	55	0	72	0
Milwaukee	20,647	33	4,228	217	25,788	36	50,663	286
Monroe	601	5	335	12	942	0	1,878	17
Oconto	615	0	160	10	515	0	1,290	10

Appendix C

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2011

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	689	1	257	15	935	2	1,881	18
Outagamie	2,509	0	831	17	2,780	2	6,120	19
Ozaukee	1,103	4	433	14	1,092	0	2,628	18
Pepin	83	0	37	1	73	0	193	1
Pierce	568	1	198	18	408	0	1,174	19
Polk	876	4	295	41	776	1	1,947	46
Portage	847	1	319	26	1,838	0	3,004	27
Price	166	0	81	0	218	0	465	0
Racine	3,418	1	882	52	3,116	1	7,416	54
Richland	219	2	66	6	297	0	582	8
Rock	2,753	3	1,293	108	2,631	4	6,677	115
Rusk	258	0	80	14	366	0	704	14
Sauk	1,302	4	527	40	1,694	5	3,523	49
Sawyer	319	0	81	3	296	0	696	3
Shawano	533	3	201	12	836	0	1,570	15
Sheboygan	1,581	0	622	31	2,220	6	4,423	37
St Croix	1,561	4	358	30	1,273	2	3,192	36
Taylor	189	0	110	6	295	0	594	6
Trempealeau	382	3	182	23	564	2	1,128	28
Vernon	283	1	166	7	382	0	831	8
Vilas	509	0	105	1	462	0	1,076	1
Walworth	2,297	4	435	44	1,741	0	4,473	48
Washburn	334	0	105	6	353	0	792	6
Washington	1,999	19	775	49	1,969	3	4,743	71
Waukesha	6,015	33	1,992	13	6,081	11	14,088	57
Waupaca	726	1	219	17	1,288	0	2,233	18
Waushara	419	0	71	2	479	0	969	2
Winnebago	2,332	12	652	54	3,140	9	6,124	75
Wood	935	1	293	23	1,353	2	2,581	26
Total	90,904	291	27,700	1,924	109,300	194	227,904	2,409

Appendix D

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2012

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	299	1	62	3	623	0	984	4
Ashland	180	2	99	7	369	0	648	9
Barron	619	4	335	31	1,145	0	2,099	35
Bayfield	192	5	54	6	236	1	482	12
Brown	3,021	0	715	38	5,408	0	9,144	38
Buffalo	130	0	70	6	163	0	363	6
Burnett	313	2	58	9	366	0	737	11
Calumet	374	0	173	2	563	0	1,110	2
Chippewa	676	9	372	37	1,142	0	2,190	46
Clark	282	1	104	6	545	0	931	7
Columbia	784	5	378	38	1,230	2	2,392	45
Crawford	181	1	102	2	281	0	564	3
Dane	5,872	49	1,613	151	7,482	78	14,967	278
Dodge	966	3	562	49	1,648	5	3,176	57
Door	431	1	83	12	484	1	998	14
Douglas	470	2	258	19	1,137	0	1,865	21
Dunn	487	6	242	26	554	0	1,283	32
Eau Claire	983	11	554	50	1,628	1	3,165	62
Florence	56	1	24	2	31	0	111	3
Fond du Lac	1,178	1	499	48	2,083	1	3,760	50
Forest	123	0	46	3	209	0	378	3
Grant	379	0	226	14	601	0	1,206	14
Green	405	5	158	12	600	2	1,163	19
Green Lake	229	0	72	12	294	0	595	12
Iowa	279	1	69	1	297	0	645	2
Iron	78	0	31	2	110	0	219	2
Jackson	211	0	119	7	460	0	790	7
Jefferson	1,126	11	646	122	1,533	3	3,305	136
Juneau	417	8	255	19	839	4	1,511	31
Kenosha	2,882	2	669	52	3,832	1	7,383	55
Kewaunee	190	0	69	9	266	0	525	9
La Crosse	1,234	2	415	14	1,835	1	3,484	17
Lafayette	142	0	61	4	201	0	404	4
Langlade	253	0	164	10	471	0	888	10
Lincoln	382	6	147	2	667	0	1,196	8
Manitowoc	878	8	369	76	1,623	1	2,870	85
Marathon	1,717	6	941	54	2,802	5	5,460	65
Marinette	485	2	160	9	750	3	1,395	14
Marquette	211	1	61	9	283	1	555	11
Menominee	20	0	2	0	54	0	76	0
Milwaukee	16,708	51	3,947	231	29,256	75	49,911	357
Monroe	421	10	298	17	866	2	1,585	29
Oconto	535	0	163	9	652	0	1,350	9

Appendix D

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2012

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	606	4	264	21	863	1	1,733	26
Outagamie	2,469	0	786	63	3,331	0	6,586	63
Ozaukee	941	1	440	12	1,134	3	2,515	16
Pepin	51	1	45	7	88	0	184	8
Pierce	499	1	167	27	440	0	1,106	28
Polk	828	8	247	31	930	2	2,005	41
Portage	641	14	358	64	1,215	0	2,214	78
Price	140	0	84	5	186	0	410	5
Racine	3,088	8	849	85	3,778	7	7,715	100
Richland	196	1	63	8	365	1	624	10
Rock	2,193	7	1,224	90	2,998	8	6,415	105
Rusk	195	1	85	10	356	2	636	13
Sauk	1,271	5	513	47	1,804	1	3,588	53
Sawyer	267	2	100	10	355	0	722	12
Shawano	456	3	201	19	807	0	1,464	22
Sheboygan	1,355	0	635	31	2,489	3	4,479	34
St Croix	1,437	15	322	24	1,234	1	2,993	40
Taylor	166	0	128	9	370	0	664	9
Trempealeau	265	1	160	9	565	0	990	10
Vernon	220	1	143	15	420	2	783	18
Vilas	344	0	119	1	423	0	886	1
Walworth	1,882	9	417	36	1,917	3	4,216	48
Washburn	238	1	109	3	349	0	696	4
Washington	1,592	8	810	42	2,037	0	4,439	50
Waukesha	5,197	40	2,112	57	6,350	20	13,659	117
Waupaca	688	5	218	8	1,223	0	2,129	13
Waushara	313	4	89	5	403	0	805	9
Winnebago	2,127	9	638	56	3,680	4	6,445	69
Wood	671	3	281	25	1,490	2	2,442	30
Total	77,135	369	27,052	2,050	117,219	247	221,406	2,666

Appendix E

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2013

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	279	1	56	5	577	0	912	6
Ashland	161	1	72	6	228	2	461	9
Barron	535	7	274	22	1,123	2	1,932	31
Bayfield	222	6	35	2	220	2	477	10
Brown	2,390	0	648	31	5,067	0	8,105	31
Buffalo	120	0	53	4	149	0	322	4
Burnett	216	2	61	8	306	0	583	10
Calumet	271	0	109	0	537	0	917	0
Chippewa	496	6	370	31	1,033	0	1,899	37
Clark	260	0	100	6	498	0	858	6
Columbia	592	1	405	26	1,216	8	2,213	35
Crawford	138	0	70	4	241	0	449	4
Dane	4,549	55	1,506	109	6,960	62	13,015	226
Dodge	885	3	560	39	1,733	3	3,178	45
Door	295	3	77	6	471	2	843	11
Douglas	425	2	323	13	917	1	1,665	16
Dunn	444	4	263	23	512	0	1,219	27
Eau Claire	1,104	3	515	34	1,542	2	3,161	39
Florence	37	1	23	0	38	0	98	1
Fond du Lac	814	1	480	35	1,972	0	3,266	36
Forest	96	0	35	3	176	0	307	3
Grant	300	0	233	6	516	1	1,049	7
Green	300	1	159	14	493	1	952	16
Green Lake	179	0	76	2	309	1	564	3
Iowa	195	3	70	7	306	0	571	10
Iron	91	0	27	1	105	0	223	1
Jackson	250	1	102	9	416	3	768	13
Jefferson	899	14	639	94	1,475	2	3,013	110
Juneau	380	11	178	11	801	2	1,359	24
Kenosha	2,390	5	614	47	3,683	1	6,687	53
Kewaunee	110	0	52	3	295	1	457	4
La Crosse	1,028	2	349	16	1,690	1	3,067	19
Lafayette	113	1	41	1	173	1	327	3
Langlade	195	0	147	7	462	0	804	7
Lincoln	324	4	139	1	688	0	1,151	5
Manitowoc	747	2	409	52	1,600	2	2,756	56
Marathon	1,421	5	904	56	2,611	6	4,936	67
Marinette	429	0	149	9	708	3	1,286	12
Marquette	162	2	48	3	269	0	479	5
Menominee	20	0	2	0	67	0	89	0
Milwaukee	14,019	47	4,036	210	29,131	62	47,186	319
Monroe	472	1	332	13	777	0	1,581	14
Oconto	341	0	143	10	576	0	1,060	10

Appendix E

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2013

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	460	2	193	8	656	0	1,309	10
Outagamie	1,921	0	759	46	2,944	0	5,624	46
Ozaukee	792	4	497	14	948	1	2,237	19
Pepin	79	1	37	4	63	0	179	5
Pierce	377	6	153	15	370	1	900	22
Polk	584	12	232	21	700	1	1,516	34
Portage	541	1	329	17	965	0	1,835	18
Price	147	0	84	3	244	0	475	3
Racine	2,485	15	891	57	3,816	8	7,192	80
Richland	165	4	55	5	259	3	479	12
Rock	1,675	12	1,124	101	2,858	1	5,657	114
Rusk	162	3	83	26	334	1	579	30
Sauk	758	4	465	22	1,620	2	2,843	28
Sawyer	246	1	59	3	310	0	615	4
Shawano	398	3	128	18	791	0	1,317	21
Sheboygan	1,088	0	702	23	2,671	0	4,461	23
St Croix	1,049	23	332	20	1,231	1	2,612	44
Taylor	155	0	113	2	307	0	575	2
Trempealeau	286	1	151	7	516	1	953	9
Vernon	217	3	137	13	360	2	714	18
Vilas	313	1	126	1	370	0	809	2
Walworth	1,651	11	417	29	1,870	0	3,938	40
Washburn	205	0	106	8	325	1	636	9
Washington	1,369	5	719	34	1,888	1	3,976	40
Waukesha	4,162	43	1,944	38	5,355	16	11,461	97
Waupaca	567	4	203	13	908	0	1,678	17
Waushara	303	0	81	3	388	0	772	3
Winnebago	1,832	6	537	33	3,129	4	5,498	43
Wood	654	4	230	20	1,183	2	2,067	26
Total	63,335	364	25,771	1,583	110,046	217	199,152	2,164

Appendix F

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2014

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	230	0	54	7	581	2	865	9
Ashland	162	1	48	2	276	0	486	3
Barron	425	4	253	14	989	1	1,667	19
Bayfield	181	2	43	0	213	1	437	3
Brown	2,163	1	705	37	4,623	0	7,491	38
Buffalo	131	1	51	6	116	0	298	7
Burnett	201	2	55	9	299	0	555	11
Calumet	238	0	123	1	503	0	864	1
Chippewa	444	3	329	28	801	2	1,574	33
Clark	266	0	76	9	372	0	714	9
Columbia	483	3	378	24	1,110	0	1,971	27
Crawford	178	2	102	2	276	0	556	4
Dane	4,099	41	1,419	91	6,271	57	11,789	189
Dodge	688	6	550	39	1,355	0	2,593	45
Door	253	7	90	9	413	4	756	20
Douglas	461	1	265	9	884	0	1,610	10
Dunn	328	3	268	25	487	0	1,083	28
Eau Claire	927	9	503	21	1,325	2	2,755	32
Florence	53	0	19	1	36	0	108	1
Fond du Lac	711	2	581	30	1,934	0	3,226	32
Forest	88	5	17	2	181	1	286	8
Grant	304	0	226	7	510	0	1,040	7
Green	294	0	141	18	405	0	840	18
Green Lake	149	1	73	1	280	0	502	2
Iowa	148	3	67	4	287	1	502	8
Iron	93	0	21	0	83	0	197	0
Jackson	141	1	65	5	388	0	594	6
Jefferson	695	21	574	45	1,309	1	2,578	67
Juneau	336	29	154	8	706	1	1,196	38
Kenosha	2,061	5	617	39	3,255	3	5,933	47
Kewaunee	117	0	77	7	278	1	472	8
La Crosse	978	8	357	17	1,897	4	3,232	29
Lafayette	121	1	43	0	135	0	299	1
Langlade	183	0	130	7	404	0	717	7
Lincoln	320	3	91	0	662	0	1,073	3
Manitowoc	620	4	402	27	1,385	1	2,407	32
Marathon	1,203	6	900	66	2,516	3	4,619	75
Marinette	395	0	135	6	673	0	1,203	6
Marquette	178	8	39	4	152	0	369	12
Menominee	11	0	0	0	50	0	61	0
Milwaukee	12,695	27	3,607	195	26,185	65	42,487	287
Monroe	390	3	299	16	832	1	1,521	20
Oconto	315	1	168	2	582	0	1,065	3

Appendix F

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2014

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	443	0	214	6	640	1	1,297	7
Outagamie	1,682	0	669	34	2,839	0	5,190	34
Ozaukee	669	4	470	13	800	2	1,939	19
Pepin	50	1	28	0	68	0	146	1
Pierce	296	3	191	12	374	1	861	16
Polk	456	6	212	25	690	2	1,358	33
Portage	491	2	369	23	1,072	1	1,932	26
Price	88	0	71	0	228	0	387	0
Racine	2,294	26	841	43	3,181	12	6,316	81
Richland	96	3	43	2	230	1	369	6
Rock	1,485	10	916	60	2,632	3	5,033	73
Rusk	152	4	71	5	304	1	527	10
Sauk	619	1	397	9	1,374	13	2,390	23
Sawyer	241	0	56	2	272	0	569	2
Shawano	337	0	165	20	649	0	1,151	20
Sheboygan	926	3	573	31	2,281	1	3,780	35
St Croix	780	18	266	23	1,167	1	2,213	42
Taylor	124	0	132	2	274	0	530	2
Trempealeau	268	0	177	11	447	2	892	13
Vernon	188	1	109	11	408	0	705	12
Vilas	258	0	137	3	331	0	726	3
Walworth	1,225	13	344	14	1,434	0	3,003	27
Washburn	181	0	111	10	280	0	572	10
Washington	1,234	5	772	43	1,595	0	3,601	48
Waukesha	3,665	33	1,806	28	4,955	10	10,426	71
Waupaca	457	4	200	12	829	1	1,486	17
Waushara	238	0	70	6	363	3	671	9
Winnebago	1,601	6	629	46	2,866	6	5,096	58
Wood	541	4	243	23	1,265	0	2,049	27
Total	55,542	361	24,397	1,357	99,867	212	179,806	1,930

Appendix G

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2015

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Adams	286	4	51	5	584	2	921	11
Ashland	151	2	46	2	198	0	395	4
Barron	362	2	257	14	986	2	1,605	18
Bayfield	123	2	61	2	150	0	334	4
Brown	2,064	2	571	25	4,983	0	7,618	27
Buffalo	48	0	56	4	140	0	244	4
Burnett	197	2	46	8	264	2	507	12
Calumet	256	0	129	4	499	0	884	4
Chippewa	468	7	369	19	847	2	1,684	28
Clark	226	2	82	2	476	0	784	4
Columbia	497	8	339	23	1,168	0	2,004	31
Crawford	146	1	120	4	255	0	521	5
Dane	3,771	52	1,409	57	5,648	61	10,828	170
Dodge	655	6	460	22	1,600	7	2,715	35
Door	271	5	77	10	328	1	676	16
Douglas	373	0	254	12	971	1	1,598	13
Dunn	327	2	248	4	472	0	1,047	6
Eau Claire	925	1	464	12	1,267	2	2,656	15
Florence	28	0	7	1	31	0	66	1
Fond du Lac	727	0	465	27	1,857	0	3,049	27
Forest	94	0	32	3	168	0	294	3
Grant	250	0	167	5	487	2	904	7
Green	201	1	124	7	449	0	774	8
Green Lake	146	0	53	5	222	0	421	5
Iowa	128	2	56	1	293	0	477	3
Iron	57	0	23	1	54	0	134	1
Jackson	188	0	68	4	334	0	590	4
Jefferson	675	12	562	62	1,353	4	2,590	78
Juneau	216	1	160	10	762	2	1,138	13
Kenosha	1,845	3	605	19	3,045	7	5,495	29
Kewaunee	132	0	57	1	258	0	447	1
La Crosse	888	5	348	9	1,448	5	2,684	19
Lafayette	101	1	40	3	185	1	326	5
Langlade	169	0	133	0	365	0	667	0
Lincoln	313	5	81	2	513	3	907	10
Manitowoc	570	2	416	17	1,167	1	2,153	20
Marathon	1,019	12	828	45	2,243	4	4,090	61
Marquette	326	3	134	3	593	1	1,053	7
Marquette	122	3	31	3	248	0	401	6
Menominee	15	0	0	0	66	0	81	0
Milwaukee	12,308	63	3,567	141	25,531	60	41,406	264
Monroe	329	4	298	10	732	0	1,359	14
Oconto	246	1	140	2	538	0	924	3

Appendix G

Statewide Filings with Attorneys for Civil, Family, and Small Claims Cases and Waiver
Petitions Granted

2015

County	Civil		Family		Small Claims		Total	
	Count	Waivers	Count	Waivers	Count	Waivers	Count	Waivers
Oneida	354	1	207	0	615	2	1,176	3
Outagamie	1,500	2	650	35	2,705	0	4,855	37
Ozaukee	621	14	377	3	751	1	1,749	18
Pepin	63	0	29	0	83	0	175	0
Pierce	293	2	201	14	306	0	800	16
Polk	434	1	181	18	668	5	1,283	24
Portage	407	4	310	15	770	0	1,487	19
Price	109	1	53	1	214	0	376	2
Racine	2,021	21	1,151	27	3,114	6	6,286	54
Richland	120	5	57	6	228	0	405	11
Rock	1,474	6	1,033	59	2,514	3	5,021	68
Rusk	163	3	118	11	334	0	615	14
Sauk	632	2	382	3	1,349	4	2,363	9
Sawyer	232	0	40	3	301	0	573	3
Shawano	285	5	121	8	520	0	926	13
Sheboygan	791	7	547	21	2,037	3	3,375	31
St Croix	752	8	264	5	1,111	4	2,127	17
Taylor	116	1	90	1	224	0	430	2
Trempealeau	219	1	133	5	390	0	742	6
Vernon	207	2	121	7	364	0	692	9
Vilas	230	1	99	3	328	0	657	4
Walworth	1,010	3	315	6	1,429	1	2,754	10
Washburn	189	0	79	0	303	1	571	1
Washington	1,195	9	654	23	1,783	0	3,632	32
Waukesha	3,631	64	1,713	23	4,646	12	9,990	99
Waupaca	414	4	197	19	686	1	1,297	24
Waushara	205	0	80	2	297	0	582	2
Winnebago	1,446	4	589	30	2,817	9	4,852	43
Wood	537	5	186	5	1,041	1	1,764	11
Total	51,889	392	23,411	963	95,706	223	171,006	1,578

Appendix H
 Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2016

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Adams	260	4	\$5,126	46	5	\$836	531	2	\$10,579	837	10	\$16,541
Ashland	137	2	\$2,708	42	2	\$800	180	0	\$3,599	359	4	\$7,107
Barron	329	2	\$6,544	234	13	\$4,417	896	2	\$17,886	1,459	16	\$28,846
Bayfield	112	2	\$2,199	55	2	\$1,072	136	0	\$2,726	304	4	\$5,998
Brown	1,876	2	\$37,480	519	23	\$9,924	4,529	0	\$90,574	6,923	25	\$137,979
Buffalo	44	0	\$872	51	4	\$945	127	0	\$2,545	222	4	\$4,362
Burnett	179	2	\$3,544	42	7	\$691	240	2	\$4,762	461	11	\$8,997
Calumet	233	0	\$4,653	117	4	\$2,272	454	0	\$9,070	803	4	\$15,995
Chippewa	425	6	\$8,379	335	17	\$6,362	770	2	\$15,359	1,590	25	\$30,100
Clark	205	2	\$4,072	75	2	\$1,454	433	0	\$8,652	713	4	\$14,178
Columbia	452	7	\$8,888	308	21	\$5,744	1,062	0	\$21,230	1,821	28	\$35,862
Crawford	133	1	\$2,636	109	4	\$2,108	232	0	\$4,635	474	5	\$9,379
Dane	3,427	47	\$67,599	1,281	52	\$24,575	5,133	55	\$101,553	9,841	155	\$193,726
Dodge	595	5	\$11,797	418	20	\$7,961	1,454	6	\$28,955	2,467	32	\$48,713
Door	246	5	\$4,835	70	9	\$1,218	298	1	\$5,944	614	15	\$11,997
Douglas	339	0	\$6,780	231	11	\$4,399	882	1	\$17,631	1,462	12	\$28,810
Dunn	297	2	\$5,907	225	4	\$4,435	429	0	\$8,579	952	5	\$18,922
Eau Claire	841	1	\$16,795	422	11	\$8,216	1,151	2	\$22,993	2,414	14	\$48,004
Florence	25	0	\$509	6	1	\$109	28	0	\$563	60	1	\$1,181
Fond du Lac	661	0	\$13,214	423	25	\$7,961	1,688	0	\$33,754	2,771	25	\$54,930
Forest	85	0	\$1,709	29	3	\$527	153	0	\$3,054	267	3	\$5,289
Grant	227	0	\$4,544	152	5	\$2,945	443	2	\$8,816	822	6	\$16,304
Green	183	1	\$3,635	113	6	\$2,127	408	0	\$8,161	703	7	\$13,923
Green Lake	133	0	\$2,654	48	5	\$872	202	0	\$4,035	383	5	\$7,561
Iowa	116	2	\$2,290	51	1	\$1,000	266	0	\$5,326	434	3	\$8,616
Iron	52	0	\$1,036	21	1	\$400	49	0	\$982	122	1	\$2,417
Jackson	171	0	\$3,417	62	4	\$1,163	304	0	\$6,071	536	4	\$10,652
Jefferson	613	11	\$12,051	511	56	\$9,088	1,230	4	\$24,520	2,354	71	\$45,660
Juneau	196	1	\$3,908	145	9	\$2,726	693	2	\$13,814	1,034	12	\$20,449

Appendix H
 Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2016

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Kanosh	1,677	3	\$33,481	550	17	\$10,652	2,767	6	\$55,221	4,994	26	\$99,353
Kewaunee	120	0	\$2,399	52	1	\$1,018	234	0	\$4,690	406	1	\$8,107
La Crosse	807	5	\$16,050	316	8	\$6,162	1,316	5	\$26,229	2,439	17	\$48,441
Lafayette	92	1	\$1,818	36	3	\$673	168	1	\$3,344	296	5	\$5,835
Langlade	154	0	\$3,072	121	0	\$2,417	332	0	\$6,634	606	0	\$12,124
Lincoln	284	5	\$5,598	74	2	\$1,436	466	3	\$9,270	824	9	\$16,304
Manitowoc	518	2	\$10,324	378	15	\$7,252	1,061	1	\$21,194	1,957	18	\$38,771
Marathon	926	11	\$18,304	753	41	\$14,232	2,039	4	\$40,697	3,717	55	\$73,234
Marquette	296	3	\$5,871	122	3	\$2,381	539	1	\$10,761	957	6	\$19,013
Marquette	111	3	\$2,163	28	3	\$509	225	0	\$4,508	364	5	\$7,180
Menominee	14	0	\$273	0	0	\$0	60	0	\$1,200	74	0	\$1,472
Milwaukee	11,186	57	\$222,573	3,242	128	\$62,273	25,203	55	\$462,977	37,631	240	\$747,823
Monroe	299	4	\$5,907	271	9	\$5,235	665	0	\$13,305	1,235	13	\$24,448
Oconto	224	1	\$4,453	127	2	\$2,508	489	0	\$9,779	840	3	\$16,741
Oneida	322	1	\$6,416	188	0	\$3,763	559	2	\$11,142	1,069	3	\$21,321
Outagamie	1,363	2	\$27,229	591	32	\$11,179	2,458	0	\$49,168	4,412	34	\$87,575
Ozaukee	564	13	\$11,033	343	3	\$6,798	683	1	\$13,632	1,590	16	\$31,464
Pepin	57	0	\$1,145	26	0	\$527	75	0	\$1,509	159	0	\$3,181
Pierce	266	2	\$5,289	183	13	\$3,399	278	0	\$5,562	727	15	\$14,250
Polk	394	1	\$7,870	164	16	\$2,963	607	5	\$12,051	1,166	22	\$22,884
Portage	370	4	\$7,325	282	14	\$5,362	700	0	\$13,996	1,351	17	\$26,683
Price	99	1	\$1,963	48	1	\$945	194	0	\$3,890	342	2	\$6,798
Racine	1,837	19	\$36,353	1,046	25	\$20,431	2,830	5	\$56,493	5,713	49	\$113,277
Richland	109	5	\$2,090	52	5	\$927	207	0	\$4,144	368	10	\$7,162
Rock	1,340	5	\$26,683	939	54	\$17,704	2,285	3	\$45,641	4,563	62	\$90,029
Rusk	148	3	\$2,908	107	10	\$1,945	304	0	\$6,071	559	13	\$10,924
Sauk	574	2	\$11,451	347	3	\$6,869	1,226	4	\$24,448	2,148	8	\$42,788
Sawyer	211	0	\$4,217	36	3	\$673	274	0	\$5,471	521	3	\$10,361
Shawano	259	5	\$5,089	110	7	\$2,054	473	0	\$9,452	842	12	\$16,595

Appendix H
Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2016

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Rollout Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Sheboygan	719	6	\$14,250	497	19	\$9,561	1,851	3	\$36,971	3,067	28	\$60,783
St. Croix	683	7	\$13,523	240	5	\$4,708	1,010	4	\$20,122	1,933	15	\$38,353
Taylor	105	1	\$2,090	82	1	\$1,618	204	0	\$4,072	391	2	\$7,780
Trempealeau	199	1	\$3,963	121	5	\$2,327	354	0	\$7,089	674	5	\$13,378
Vernon	188	2	\$3,726	110	6	\$2,072	331	0	\$6,616	629	8	\$12,415
Vilas	209	1	\$4,162	90	3	\$1,745	298	0	\$5,962	597	4	\$11,869
Walworth	918	3	\$18,304	286	5	\$5,617	1,299	1	\$25,956	2,503	9	\$49,877
Washington	172	0	\$3,435	72	0	\$1,436	275	1	\$5,489	519	1	\$10,361
Waushara	1,086	8	\$21,557	594	21	\$11,469	1,620	0	\$32,409	3,301	29	\$65,436
Waukesha	3,500	58	\$64,836	1,557	21	\$30,718	4,222	11	\$84,230	9,079	90	\$179,785
Waupaca	376	4	\$7,452	179	17	\$3,235	623	1	\$12,451	1,179	22	\$23,139
Waushara	186	0	\$3,726	73	2	\$1,418	270	0	\$5,398	529	2	\$10,542
Winnebago	1,314	4	\$26,211	535	27	\$10,161	2,580	8	\$51,040	4,410	39	\$87,411
Wood	488	5	\$9,670	169	5	\$3,290	946	1	\$18,904	1,603	10	\$31,864
Total	47,158	356	\$936,041	21,277	875	\$409,029	86,981	203	\$1,735,558	155,416	1,434	\$3,079,629
			\$68,140			\$34,999			\$113,345			\$216,484

Appendix I
 Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2017

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Adams	235	3	\$4,642	42	4	\$757	481	2	\$9,579	758	9	\$14,978
Ashland	124	2	\$2,452	38	2	\$724	163	0	\$3,259	325	3	\$6,436
Barron	298	2	\$5,925	212	12	\$4,000	811	2	\$16,196	1,321	15	\$26,121
Bayfield	101	2	\$1,992	50	2	\$971	123	0	\$2,469	275	3	\$5,432
Brown	1,699	2	\$33,939	470	21	\$8,987	4,101	0	\$82,017	6,269	22	\$124,943
Buffalo	40	0	\$790	46	3	\$856	115	0	\$2,304	201	3	\$3,950
Burnett	162	2	\$3,210	38	7	\$625	217	2	\$4,312	417	10	\$8,147
Calumet	211	0	\$4,214	106	3	\$2,057	411	0	\$8,213	728	3	\$14,484
Chippewa	385	6	\$7,588	304	16	\$5,761	697	2	\$13,908	1,386	23	\$27,257
Clark	186	2	\$3,687	67	2	\$1,317	392	0	\$7,835	645	3	\$12,838
Columbia	409	7	\$8,049	279	19	\$5,201	961	0	\$19,225	1,649	26	\$32,474
Crawford	120	1	\$2,387	99	3	\$1,909	210	0	\$4,197	429	4	\$8,493
Dane	3,103	43	\$61,213	1,160	47	\$22,253	4,648	50	\$91,959	8,911	140	\$175,425
Dodge	539	5	\$10,682	379	18	\$7,209	1,317	6	\$26,220	2,234	29	\$44,111
Door	223	4	\$4,378	63	8	\$1,103	270	1	\$5,382	556	13	\$10,863
Douglas	307	0	\$6,139	209	10	\$3,983	799	1	\$15,966	1,315	11	\$26,088
Dunn	269	2	\$5,349	204	3	\$4,016	388	0	\$7,769	862	5	\$17,134
Eau Claire	761	1	\$15,209	382	10	\$7,440	1,043	2	\$20,821	2,186	12	\$43,469
Florence	23	0	\$461	6	1	\$99	26	0	\$510	54	1	\$1,070
Fond du Lac	598	0	\$11,966	383	22	\$7,209	1,528	0	\$30,565	2,509	22	\$49,740
Forest	77	0	\$1,547	26	2	\$477	138	0	\$2,765	242	2	\$4,790
Grant	206	0	\$4,115	137	4	\$2,666	401	2	\$7,983	744	6	\$14,764
Green	165	1	\$3,292	102	6	\$1,926	370	0	\$7,390	637	7	\$12,608
Green Lake	120	0	\$2,403	44	4	\$790	183	0	\$3,654	346	4	\$6,847
Iowa	105	2	\$2,074	46	1	\$905	241	0	\$4,823	393	2	\$7,802
Iron	47	0	\$938	19	1	\$362	44	0	\$889	110	1	\$2,189
Jackson	155	0	\$3,094	56	3	\$1,053	275	0	\$5,497	486	3	\$9,645
Jefferson	556	10	\$10,913	463	51	\$8,230	1,113	3	\$22,204	2,131	64	\$41,346
Juneau	178	1	\$3,539	132	8	\$2,469	627	2	\$12,509	957	11	\$18,517

Appendix I
 Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2017

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Kenosha	1,518	2	\$30,318	498	16	\$9,645	2,506	6	\$50,004	4,522	24	\$89,967
Kewaunee	109	0	\$2,173	47	1	\$922	212	0	\$4,247	368	1	\$7,341
La Crosse	731	4	\$14,534	286	7	\$5,580	1,192	4	\$23,751	2,209	16	\$43,864
Lafayette	83	1	\$1,646	33	2	\$609	152	1	\$3,029	268	4	\$5,283
Langlade	139	0	\$2,782	109	0	\$2,189	300	0	\$6,008	549	0	\$10,978
Lincoln	258	4	\$5,070	67	2	\$1,300	422	2	\$8,394	746	8	\$14,764
Manitowoc	469	2	\$9,349	342	14	\$6,567	960	1	\$19,192	1,772	16	\$35,108
Marathon	839	10	\$16,575	681	37	\$12,888	1,846	3	\$36,853	3,366	50	\$66,315
Marquette	268	2	\$5,316	110	2	\$2,156	488	1	\$9,744	867	6	\$17,217
Manominee	100	2	\$1,959	26	2	\$461	204	0	\$4,082	330	5	\$6,501
Menominee	12	0	\$247	0	0	\$0	54	0	\$1,086	67	0	\$1,333
Millwaukee	10,129	52	\$201,546	2,936	116	\$56,390	21,011	49	\$419,238	34,076	217	\$677,174
Monroe	271	3	\$5,349	245	8	\$4,740	602	0	\$12,048	1,118	12	\$22,138
Oconto	202	1	\$4,033	115	2	\$2,271	443	0	\$8,855	760	2	\$15,159
Oneida	291	1	\$5,810	170	0	\$3,407	506	2	\$10,090	968	2	\$19,307
Outagamie	1,234	2	\$24,856	535	29	\$10,123	2,226	0	\$44,523	3,996	30	\$79,302
Ozaukee	511	12	\$9,991	310	2	\$6,156	618	1	\$12,345	1,439	15	\$28,491
Pepin	52	0	\$1,037	24	0	\$477	68	0	\$1,366	144	0	\$2,880
Pierce	241	2	\$4,790	165	12	\$3,078	252	0	\$5,037	658	13	\$12,904
Poik	357	1	\$7,127	149	15	\$2,683	550	4	\$10,913	1,056	20	\$20,722
Portage	335	3	\$6,633	255	12	\$4,856	634	0	\$12,674	1,224	16	\$24,162
Price	90	1	\$1,778	44	1	\$856	176	0	\$3,522	309	2	\$6,156
Racine	1,663	17	\$32,919	947	22	\$18,500	2,563	5	\$51,156	5,173	44	\$102,575
Richland	99	4	\$1,893	47	5	\$839	188	0	\$3,753	333	9	\$6,485
Rock	1,213	5	\$24,162	850	49	\$16,031	2,069	2	\$41,330	4,132	56	\$81,524
Rusk	134	2	\$2,634	97	9	\$1,761	275	0	\$5,497	506	12	\$9,892
Sauk	520	2	\$10,369	314	2	\$6,238	1,110	3	\$22,138	1,945	7	\$38,745
Sawyer	191	0	\$3,819	33	2	\$609	248	0	\$4,954	472	2	\$9,382
Shawano	235	4	\$4,609	100	7	\$1,860	428	0	\$8,559	762	11	\$15,027

Appendix I
 Projected Total Annual Revenues From Civil, Family and Small Claims Cases and Projected Rollout Revenues

2017

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue	Count	Waivers	Total Revenue
Sheboygan	651	6	\$12,904	450	17	\$8,658	1,676	2	\$33,478	2,778	26	\$55,040
St Croix	619	7	\$12,246	217	4	\$4,263	914	3	\$18,221	1,750	14	\$34,729
Taylor	95	1	\$1,893	74	1	\$1,465	184	0	\$3,687	354	2	\$7,045
Trempealeau	180	1	\$3,588	109	4	\$2,107	321	0	\$6,419	611	5	\$12,114
Vernon	170	2	\$3,374	100	6	\$1,876	300	0	\$5,991	569	7	\$11,242
Vilas	189	1	\$3,769	81	2	\$1,580	270	0	\$5,399	541	3	\$10,748
Walworth	831	2	\$16,575	259	5	\$5,086	1,176	1	\$23,504	2,266	8	\$45,165
Washington	156	0	\$3,111	65	0	\$1,300	249	1	\$4,971	470	1	\$9,382
Waubesa	983	7	\$19,521	538	19	\$10,386	1,467	0	\$29,347	2,989	26	\$59,254
Waushara	2,988	53	\$58,711	1,410	19	\$27,816	3,824	10	\$76,273	8,221	81	\$162,800
Winnebago	341	3	\$6,748	162	16	\$2,930	565	1	\$11,275	1,067	20	\$20,953
Wood	169	0	\$3,374	66	2	\$1,284	244	0	\$4,888	479	2	\$9,546
	1,190	3	\$23,734	485	25	\$9,201	2,318	7	\$46,218	3,993	35	\$79,153
	442	4	\$8,756	153	4	\$2,979	857	1	\$17,118	1,452	9	\$28,853
Total	42,703	323	\$847,611	19,267	793	\$369,481	78,763	184	\$1,571,595	140,733	1,299	\$2,788,687

Appendix J

Projected Total Annual Revenues From Civil, Family, and Small Claims Cases

2018

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue
Adams	211	3	\$4,157	38	4	\$678	430	1	\$8,580	679	8	\$13,415
Ashland	111	1	\$2,197	34	1	\$649	146	0	\$2,919	291	3	\$5,764
Barron	267	1	\$5,307	189	10	\$3,582	727	1	\$14,506	1,183	13	\$23,396
Bayfield	91	1	\$1,784	45	1	\$870	111	0	\$2,211	246	3	\$4,865
Brown	1,521	1	\$30,398	421	18	\$8,049	3,673	0	\$73,461	5,615	20	\$111,908
Buffalo	35	0	\$708	41	3	\$767	103	0	\$2,064	180	3	\$3,538
Burnett	145	1	\$2,875	34	6	\$560	195	1	\$3,862	374	9	\$7,297
Calumet	189	0	\$3,774	95	3	\$1,843	368	0	\$7,356	652	3	\$12,973
Chippewa	345	5	\$6,796	272	14	\$5,160	624	1	\$12,457	1,241	21	\$24,413
Clark	167	1	\$3,302	60	1	\$1,179	351	0	\$7,017	578	3	\$11,499
Columbia	366	6	\$7,209	250	17	\$4,659	861	0	\$17,219	1,477	23	\$29,086
Crawford	108	1	\$2,138	88	3	\$1,710	188	0	\$3,759	384	4	\$7,607
Dane	2,780	38	\$54,826	1,039	42	\$19,931	4,163	45	\$82,365	7,981	125	\$157,123
Dodge	483	4	\$9,568	339	16	\$6,457	1,179	5	\$23,484	2,001	26	\$39,509
Door	200	4	\$3,921	57	7	\$988	242	1	\$4,821	498	12	\$9,730
Douglas	275	0	\$5,499	187	9	\$3,568	716	1	\$14,300	1,178	10	\$23,366
Dunn	241	1	\$4,791	183	3	\$3,597	348	0	\$6,958	772	4	\$15,347
Eau Claire	682	1	\$13,622	342	9	\$6,663	934	1	\$18,649	1,958	11	\$38,934
Florence	21	0	\$413	5	1	\$88	23	0	\$457	49	1	\$958
Fond du Lac	536	0	\$10,718	343	20	\$6,457	1,369	0	\$27,376	2,247	20	\$44,551
Forest	69	0	\$1,386	24	2	\$428	124	0	\$2,477	217	2	\$4,290
Grant	184	0	\$3,686	123	4	\$2,388	359	1	\$7,150	666	5	\$13,224
Green	148	1	\$2,948	91	5	\$1,725	331	0	\$6,619	571	6	\$11,293
Green Lake	108	0	\$2,152	39	4	\$708	164	0	\$3,273	310	4	\$6,133
Iowa	94	1	\$1,858	41	1	\$811	216	0	\$4,319	352	2	\$6,988
Iron	42	0	\$840	17	1	\$324	40	0	\$796	99	1	\$1,961
Jackson	139	0	\$2,772	50	3	\$944	246	0	\$4,924	435	3	\$8,639
Jefferson	498	9	\$9,774	414	46	\$7,371	997	3	\$19,887	1,909	57	\$37,032
Juneau	159	1	\$3,170	118	7	\$2,211	562	1	\$11,204	839	10	\$16,585
Kenosha	1,360	2	\$27,155	446	14	\$8,639	2,245	5	\$44,787	4,050	21	\$80,581
Kewaunee	97	0	\$1,946	42	1	\$826	190	0	\$3,803	329	1	\$6,575
La Crosse	655	4	\$13,017	257	7	\$4,998	1,067	4	\$21,273	1,978	14	\$39,288
Lafayette	74	1	\$1,474	29	2	\$545	136	1	\$2,713	240	4	\$4,732
Langlade	125	0	\$2,491	98	0	\$1,961	269	0	\$5,381	492	0	\$9,833
Lincoln	231	4	\$4,541	60	1	\$1,165	378	2	\$7,519	669	7	\$13,224
Manitowoc	420	1	\$8,374	307	13	\$5,882	860	1	\$17,189	1,587	15	\$31,445
Marathon	751	9	\$14,845	610	33	\$11,543	1,653	3	\$33,008	3,015	45	\$59,396
Marinette	240	2	\$4,762	99	2	\$1,931	437	1	\$8,727	776	5	\$15,420
Marquette	90	2	\$1,754	23	2	\$413	183	0	\$3,656	296	4	\$5,823
Menominee	11	0	\$221	0	0	\$0	49	0	\$973	60	0	\$1,194
Milwaukee	9,072	46	\$180,519	2,629	104	\$50,507	18,819	44	\$375,499	30,521	195	\$606,525
Monroe	243	3	\$4,791	220	7	\$4,246	540	0	\$10,791	1,002	10	\$19,828
Oconto	181	1	\$3,612	103	1	\$2,034	397	0	\$7,931	681	2	\$13,578
Oneida	261	1	\$5,204	153	0	\$3,052	453	1	\$9,037	867	2	\$17,293

Appendix J

Projected Total Annual Revenues From Civil, Family, and Small Claims Cases

2018

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue
Outagamie	1,106	1	\$22,084	479	26	\$9,066	1,994	0	\$39,878	3,579	27	\$71,028
Ozaukee	458	10	\$8,949	278	2	\$5,514	554	1	\$11,057	1,289	13	\$25,519
Pepin	46	0	\$929	21	0	\$428	61	0	\$1,224	129	0	\$2,580
Pierce	216	1	\$4,290	148	10	\$2,757	226	0	\$4,511	590	12	\$11,558
Polk	320	1	\$6,383	133	13	\$2,403	492	4	\$9,774	946	18	\$18,560
Portage	300	3	\$5,941	229	11	\$4,349	568	0	\$11,352	1,096	14	\$21,642
Price	80	1	\$1,592	39	1	\$767	158	0	\$3,155	277	1	\$5,514
Racine	1,490	15	\$29,484	848	20	\$16,570	2,295	4	\$45,819	4,633	40	\$91,874
Richland	88	4	\$1,695	42	4	\$752	168	0	\$3,361	299	8	\$5,808
Rock	1,087	4	\$21,642	761	43	\$14,359	1,853	2	\$37,018	3,701	50	\$73,018
Rusk	120	2	\$2,359	87	8	\$1,577	246	0	\$4,924	453	10	\$8,860
Sauk	466	1	\$9,288	282	2	\$5,587	994	3	\$19,828	1,742	7	\$34,703
Sawyer	171	0	\$3,420	29	2	\$545	222	0	\$4,437	422	2	\$8,403
Shawano	210	4	\$4,128	89	6	\$1,666	383	0	\$7,666	683	10	\$13,460
Sheboygan	583	5	\$11,558	403	15	\$7,754	1,501	2	\$29,986	2,488	23	\$49,298
St Croix	554	6	\$10,968	195	4	\$3,818	819	3	\$16,320	1,568	13	\$31,106
Taylor	86	1	\$1,695	66	1	\$1,312	165	0	\$3,302	317	1	\$6,310
Trempealeau	161	1	\$3,214	98	4	\$1,887	287	0	\$5,749	547	4	\$10,850
Vernon	153	1	\$3,022	89	5	\$1,681	268	0	\$5,366	510	7	\$10,069
Vilas	170	1	\$3,376	73	2	\$1,415	242	0	\$4,835	484	3	\$9,627
Walworth	744	2	\$14,845	232	4	\$4,555	1,053	1	\$21,052	2,030	7	\$40,453
Washburn	139	0	\$2,786	58	0	\$1,165	223	1	\$4,452	421	1	\$8,403
Washington	881	7	\$17,484	482	17	\$9,302	1,314	0	\$26,285	2,677	24	\$53,072
Waukesha	2,676	47	\$52,586	1,263	17	\$24,914	3,425	9	\$68,315	7,364	73	\$145,815
Waupaca	305	3	\$6,044	145	14	\$2,624	506	1	\$10,098	956	18	\$18,767
Waushara	151	0	\$3,022	59	1	\$1,150	219	0	\$4,378	429	1	\$8,550
Winnebago	1,066	3	\$21,258	434	22	\$8,241	2,076	7	\$41,396	3,576	32	\$70,895
Wood	396	4	\$7,843	137	4	\$2,668	767	1	\$15,332	1,300	8	\$25,843
Total	38,248	289	\$759,180	17,257	710	\$330,933	70,546	164	\$1,407,632	126,050	1,163	\$2,497,746

Appendix K

Projected Total Annual Revenues From Civil, Family, and Small Claims Cases

2019

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue
Adams	186	3	\$3,673	33	3	\$599	380	1	\$7,581	600	7	\$11,853
Ashland	98	1	\$1,941	30	1	\$573	129	0	\$2,579	257	3	\$5,093
Barron	236	1	\$4,689	167	9	\$3,165	642	1	\$12,817	1,045	12	\$20,671
Bayfield	80	1	\$1,576	40	1	\$768	98	0	\$1,954	218	3	\$4,298
Brown	1,344	1	\$26,858	372	16	\$7,112	3,245	0	\$64,904	4,961	18	\$98,873
Buffalo	31	0	\$625	36	3	\$677	91	0	\$1,824	159	3	\$3,126
Burnett	128	1	\$2,540	30	5	\$495	172	1	\$3,413	330	8	\$6,447
Calumet	167	0	\$3,334	84	3	\$1,628	325	0	\$6,499	576	3	\$11,462
Chippewa	305	5	\$6,005	240	12	\$4,559	552	1	\$11,006	1,097	18	\$21,569
Clark	147	1	\$2,918	53	1	\$1,042	310	0	\$6,200	511	3	\$10,160
Columbia	324	5	\$6,369	221	15	\$4,116	761	0	\$15,213	1,305	20	\$25,698
Crawford	95	1	\$1,889	78	3	\$1,511	166	0	\$3,321	339	3	\$6,721
Dane	2,456	34	\$48,440	918	37	\$17,610	3,678	40	\$72,771	7,052	111	\$138,821
Dodge	427	4	\$8,453	300	14	\$5,705	1,042	5	\$20,749	1,768	23	\$34,907
Door	176	3	\$3,465	50	7	\$873	214	1	\$4,259	440	10	\$8,597
Douglas	243	0	\$4,858	165	8	\$3,152	632	1	\$12,634	1,041	8	\$20,645
Dunn	213	1	\$4,233	162	3	\$3,178	307	0	\$6,148	682	4	\$13,559
Eau Claire	602	1	\$12,035	302	8	\$5,887	825	1	\$16,477	1,730	10	\$34,399
Florence	18	0	\$365	5	1	\$78	20	0	\$404	43	1	\$847
Fond du Lac	473	0	\$9,469	303	18	\$5,705	1,209	0	\$24,187	1,986	18	\$39,362
Forest	61	0	\$1,224	21	2	\$378	109	0	\$2,188	191	2	\$3,790
Grant	163	0	\$3,256	109	3	\$2,110	317	1	\$6,317	589	5	\$11,683
Green	131	1	\$2,605	81	5	\$1,524	292	0	\$5,848	504	5	\$9,977
Green Lake	95	0	\$1,902	35	3	\$625	145	0	\$2,892	274	3	\$5,418
Iowa	83	1	\$1,641	36	1	\$716	191	0	\$3,816	311	2	\$6,174
Iron	37	0	\$742	15	1	\$287	35	0	\$703	87	1	\$1,732
Jackson	122	0	\$2,449	44	3	\$834	218	0	\$4,350	384	3	\$7,633
Jefferson	440	8	\$8,636	366	40	\$6,513	881	3	\$17,571	1,687	51	\$32,719
Juneau	141	1	\$2,800	104	7	\$1,954	496	1	\$9,899	741	8	\$14,653
Kenosha	1,202	2	\$23,992	394	12	\$7,633	1,983	5	\$39,570	3,579	19	\$71,195
Kewaunee	86	0	\$1,719	37	1	\$729	168	0	\$3,360	291	1	\$5,809
La Crosse	578	3	\$11,501	227	6	\$4,415	943	3	\$18,795	1,748	12	\$34,712
Lafayette	66	1	\$1,303	26	2	\$482	120	1	\$2,397	212	3	\$4,181
Langlade	110	0	\$2,201	87	0	\$1,732	238	0	\$4,754	434	0	\$8,688
Lincoln	204	3	\$4,012	53	1	\$1,029	334	2	\$6,643	591	7	\$11,683
Manitowoc	371	1	\$7,398	271	11	\$5,197	760	1	\$15,187	1,402	13	\$27,782
Marathon	664	8	\$13,116	539	29	\$10,199	1,461	3	\$29,163	2,664	40	\$52,478
Marquette	212	2	\$4,207	87	2	\$1,706	386	1	\$7,711	686	5	\$13,624
Marquette	79	2	\$1,550	20	2	\$365	162	0	\$3,230	261	4	\$5,145
Menominee	10	0	\$195	0	0	\$0	43	0	\$860	53	0	\$1,055
Milwaukee	8,016	41	\$159,491	2,323	92	\$44,624	16,627	39	\$331,760	26,966	172	\$535,876
Monroe	214	3	\$4,233	194	7	\$3,751	477	0	\$9,534	885	9	\$17,519
Oconto	160	1	\$3,191	91	1	\$1,797	350	0	\$7,007	602	2	\$11,996
Oneida	231	1	\$4,598	135	0	\$2,696	401	1	\$7,984	766	2	\$15,278

Appendix K

Projected Total Annual Revenues From Civil, Family, and Small Claims Cases

2019

County	Civil			Family			Small Claims			Total		
	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue	Count	Waivers	Revenue
Outagamie	977	1	\$19,511	423	23	\$8,010	1,762	0	\$35,233	3,162	24	\$62,755
Ozaukee	404	9	\$7,906	246	2	\$4,871	489	1	\$9,769	1,139	12	\$22,546
Pepin	41	0	\$821	19	0	\$378	54	0	\$1,081	114	0	\$2,279
Pierce	191	1	\$3,790	131	9	\$2,436	199	0	\$3,986	521	10	\$10,212
Polk	283	1	\$5,640	118	12	\$2,123	435	3	\$8,636	836	16	\$16,399
Portage	265	3	\$5,249	202	10	\$3,842	501	0	\$10,029	968	12	\$19,121
Price	71	1	\$1,407	35	1	\$677	139	0	\$2,787	245	1	\$4,871
Racine	1,316	14	\$26,050	750	18	\$14,640	2,028	4	\$40,482	4,094	35	\$81,172
Richland	78	3	\$1,498	37	4	\$664	148	0	\$2,970	264	7	\$5,132
Rock	960	4	\$19,121	673	38	\$12,686	1,637	2	\$32,706	3,270	44	\$64,513
Rusk	106	2	\$2,084	77	7	\$1,394	218	0	\$4,350	401	9	\$7,828
Sauk	412	1	\$8,206	249	2	\$4,936	879	3	\$17,519	1,539	6	\$30,661
Sawyer	151	0	\$3,022	26	2	\$482	196	0	\$3,921	373	2	\$7,424
Shawano	186	3	\$3,647	79	5	\$1,472	339	0	\$6,773	603	8	\$11,892
Sheboygan	515	5	\$10,212	356	14	\$6,851	1,327	2	\$26,493	2,198	20	\$43,556
St Croix	490	5	\$9,691	172	3	\$3,373	724	3	\$14,419	1,385	11	\$27,483
Taylor	76	1	\$1,498	59	1	\$1,159	146	0	\$2,918	280	1	\$5,575
Trempealeau	143	1	\$2,839	87	3	\$1,667	254	0	\$5,080	483	4	\$9,586
Vernon	135	1	\$2,670	79	5	\$1,485	237	0	\$4,741	451	6	\$8,896
Vilas	150	1	\$2,983	64	2	\$1,250	214	0	\$4,272	428	3	\$8,505
Walworth	658	2	\$13,116	205	4	\$4,025	931	1	\$18,600	1,794	7	\$35,741
Washburn	123	0	\$2,462	51	0	\$1,029	197	1	\$3,934	372	1	\$7,424
Washington	778	6	\$15,448	426	15	\$8,219	1,161	0	\$23,224	2,365	21	\$46,890
Waukesha	2,365	42	\$46,460	1,116	15	\$22,012	3,026	8	\$60,358	6,506	64	\$128,831
Waupaca	270	3	\$5,340	128	12	\$2,318	447	1	\$8,922	845	16	\$16,581
Wausara	134	0	\$2,670	52	1	\$1,016	193	0	\$3,868	379	1	\$7,555
Winnebago	942	3	\$18,782	384	20	\$7,281	1,835	6	\$36,574	3,160	28	\$62,637
Wood	350	3	\$6,929	121	3	\$2,358	678	1	\$13,546	1,149	7	\$22,833
Total	33,793	255	\$670,750	15,246	627	\$292,386	62,329	145	\$1,243,669	111,368	1,028	\$2,206,804

Appendix L

Annual Expenditures to Implement Civil, Family, Paternity, and Small Claims Case
Types Statewide (Phase 1: 2016-2017)

Item	2016	2017	Description
Scanners	-	\$100,000	As mandatory eFiling is rolled out, an additional 375 scanners will be needed for installation in counties that are not currently participating in voluntary eFiling.
Travel	\$80,000	\$100,000	Costs for travel, per diems, and overnight stays required for implementation and training court staff and filers.
Support and Implementation	-	\$740,000	Cost for 8 business analyst contractors to provide user support, training, and implementation.
Hardware Infrastructure	-	\$830,000	Cost of maintenance, replacement, and support for enterprise eFiling hardware infrastructure, spread over four years.
Total	\$80,000	\$1,770,000	

Appendix M

Annual Expenditures to Implement All Remaining Case Types Statewide
(Phase 2: 2016 - 2019)

Item	2016	2017	2018	2019	Description
Scanners	-	-	\$140,000	\$140,000	An additional 1025 scanners will be needed to make all case types available by the end of 2019.
Monitors	-	-	\$180,000	\$180,000	An additional 1770 monitors will be needed to ensure court staff can easily view electronic documents while simultaneously viewing case management information.
Travel	-	-	\$80,000	\$80,000	Costs for travel, per diems, and overnight stays required for implementation and training of court staff and filers.
Software Development	\$120,000	\$240,000	\$120,000	\$120,000	Two contract programming staff will be hired to complete the development for all remaining case types, and also to maintain the existing system functionality. After 2017, only one contractor will be retained for enhancements, maintenance, and support.
Support and Implementation	-	-	\$740,000	\$740,000	Cost for 8 business analyst contractors to provide user support, training, and implementation.
Hardware Infrastructure	-	\$830,000	\$830,000	\$830,000	Cost of maintenance, replacement and support for enterprise eFiling hardware infrastructure spread over four years. (Includes deferred replacement of bulk scanners)
Total	\$120,000	\$1,070,000	\$2,090,000	\$2,090,000	

Appendix N

Ongoing Annual Expenditures to Support and Maintain Statewide eFiling (2020 and beyond)

Item	Annual Cost	Description
Desktop Scanners	\$175,000	CCAP estimates 2550 desktop scanners will be implemented statewide after the full implementation of mandatory eFiling. The estimated replacement cost is \$275 for each scanner, and the scanners must be replaced every four years.
Bulk Scanners	\$275,000	200 bulk scanners will be implemented statewide after full implementation of eFiling. The estimated replacement cost for each scanner is \$5,500 and the scanners must be replaced every four years.
Monitors	\$130,000	2600 dual monitors will be in place by the end of the statewide implementation. At \$200 per monitor and a four year replacement cycle, the monitors will cost \$130,000 per year to maintain.
eCourts Servers	\$3,000	The eCourt servers provide account and identity management for all users of the eFiling system. There are two servers at a cost of \$5,500 each and will be replaced every four years.
OCR Servers and Software	\$16,000	Scanned documents must be processed through an optical character recognition (OCR) system in order to be text searchable and for the document annotation feature to work. There are 2 servers at \$8,000 each and the OCR software costs \$12,000 per year for support and maintenance.
Document Certification	\$10,000	All electronic documents are run through a certification process that applies a digital signature. This signature guarantees the document is authentic and hasn't been altered since it was received by the courts. Two specialized servers are required at \$20,000 each, and will be replaced every four years.
Document Storage	\$13,500	The amount of computer disk space needed to hold the greatly expanded number of electronic documents after statewide mandatory eFiling will increase dramatically from current levels. CCAP stores all data in multiple separate locations (county, central office, offsite). 30 terabytes of new data is estimated to be required over a four year period. The storage subsystems must be fast and reliable and will be replaced every four years.
eFiling Servers	\$4,000	The eFiling website will run on two dedicated servers. Each server and the necessary support and maintenance contracts will cost \$8,000, for a total \$16,000 over four years.
Software Development	\$120,000	One contract programmer will be retained to support and enhance the eFiling software.
User support	\$742,000	Once eFiling is mandatory statewide, CCAP will be responsible for supporting tens of thousands of new users and an entirely new software system that is critical to the operation of the courts. These users will expect CCAP to provide ongoing assistance, documentation, training, and support of the eFiling system. Eight business analysts will be retained to provide this much-needed ongoing support.
Total	\$1,488,000	

Appendix O
 Proposal for \$2.2 Million Lump Sum and \$8 eFiling Fee

Statewide eFiling Development
 Projected Year-by-Year Balance Sheet
 Calendar Year 2015 Through 2019

Projected revenues based on 2009 - 2015 attorney numbers
 Reports year-by-year revenues and expenditures attributable to eFiling itself, as a separate project from overall CCAP operations.

	2015 [1]	2016 [2]	2017	2018	2019
Opening Balance					
Revenue [3]	\$0	(\$140,000)	\$1,400,000	\$390,000	(\$610,000)
From case types:					
SC, CV, FA, PA	70,000	120,000	1,000,000	1,000,000	890,000
AD, FO, GN, JC, JG, JO, PR, TP, TR, WL [4]				90,000	250,000
Lump Sum		2,200,000			
Total Revenue	70,000	2,320,000	1,000,000	1,090,000	1,140,000
Expenditures					
New Hardware Costs	70,000		100,000	320,000	320,000
eFiling Infrastructure Maintenance Cost			830,000	830,000	830,000
Development Costs	140,000	700,000	240,000	120,000	120,000
Implementation & Support Costs		80,000	840,000	820,000	820,000
Total Expenditures	210,000	780,000	2,010,000	2,090,000	2,090,000
Closing Balance	(\$140,000)	\$1,400,000	\$390,000	(\$610,000)	(\$1,560,000)
Net over/under spending during the year [5]	(\$140,000)	\$1,540,000	(\$1,010,000)	(\$1,000,000)	(\$950,000)

Notes
 [1] 2015 opening balance for the eFiling project is considered to be zero. Previous eFiling development revenues and costs were in support of voluntary eFiling.
 [2] eFiling fee changes from \$5 to \$8 effective with implementation of mandatory eFiling.
 [3] Revenues are based on an \$8 fee per attorney per case. Cases with no attorneys are not counted, and if an attorney represents more than one party on a case they are counted only once.
 [4] Revenue from criminal and juvenile delinquency (CF, CM and JV) case types has not been added as privately retained counsel information is not readily available.
 [5] Indicates the single year difference between revenue and expenditures. The program is expected to run a deficit in early years, offset by revenues in later years.

ATTACHMENT D



JACQUELYNN B. ROTHSTEIN
DIRECTOR

Supreme Court of Wisconsin

BOARD OF BAR EXAMINERS
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CLERK OF SUPREME COURT
OF WISCONSIN

March 3, 2016

Chief Justice Patience D. Roggensack
Justice Shirley S. Abrahamson
Justice Ann Walsh Bradley
Justice David T. Prosser, Jr.
Justice Annette Kingsland Ziegler
Justice Michael J. Gableman
Justice Rebecca G. Bradley
16 East, State Capitol
P.O. Box 1688
Madison, WI 53701-1688

Dear Chief Justice and Justices:

I write in response to Supreme Court Rule Petition 15-05, which proposes to amend SCR Chapter 31 and SCR 10.03. More specifically, SCR Chapter 31 would be amended to allow continuing legal education (CLE) credit to be granted for qualified *pro bono* work, up to a maximum of six (6) credits per reporting cycle. The proposal would also amend 10.03 (4) (f) to allow in-house counsel to provide *pro bono* services, pursuant to SCR 20:6.1.

The Board of Bar Examiners engaged in a robust review and discussion regarding this petition at its last two meetings. Although the Board is generally supportive of granting up to six (6) CLE credits for qualified *pro bono* activities, it continues to have administrative concerns surrounding its implementation.

One of those concerns includes the need for changes to the BBE's CLE reporting database. The current database does not have a means by which attorneys can report *pro bono* credit. Therefore, programming changes to the existing database would have to be made first before attorneys could claim this type of credit on their reports. CCAP provided an initial cost estimate of \$15,000.00-\$20,000.00 for this project and noted that it would likely take in excess of 300 hours to complete. Those potential changes are not presently on CCAP's annual plan for completion. As a result, the timeline for completing them is highly uncertain. Additionally, CCAP has been working with the BBE for the past several years to provide on-line access for applicants to electronically submit their bar applications. The Board believes it is essential for the BBE's electronic admissions' application to be fully operational before any other new and costly projects are undertaken. Since CCAP has not yet completed the electronic application, the Board believes that should remain a higher priority than this project.

Board: Mark R. Fremgen, Chairperson, Madison; Steven M. Barkan, Vice Chairperson, Madison; Patrick Delmore, Madison; Blake J. Duren, Reedsburg; Patricia Evans, Madison; Kimberly Haas, Mosinee; Marc A. Hammer, Green Bay; Judith G. McMullen, Milwaukee; Richard B. Moriarty, Madison; W. Craig Olafsson, Wausau; Sally M. Younger, Madison

Letter to the WI Supreme Court re 15-05
March 3, 2016
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The Board is also concerned that there is no uniform mechanism in place for being able to verify an attorney's completion of the reported *pro bono* hours. Attendance verification is easily obtained for other types of CLE, but would not be as readily or as easily available for the CLE *pro bono* component.

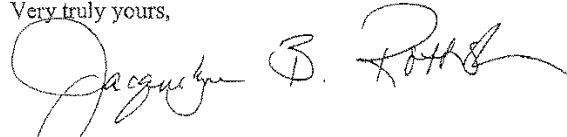
The proposal also does not address the effect this may have or should have on reactivations, readmissions, or reinstatements. For instance, would attorneys who earned CLE credit through *pro bono* work be able to use those credits towards regaining an active license, for being readmitted, or for being reinstated? Or should those credits instead be excluded from use in that manner as "on demand" credits are under SCR 31.05 (5) (d)?

While the Board supports encouraging attorneys to provide more *pro bono* services, the implementation of the proposed changes to SCR Chapter 31 should not occur unless and until all of the concerns surrounding it have been effectively addressed.

This petition also proposes a change to SCR 10.03 (4) (f) which would allow in-house counsel to provide *pro bono* services pursuant to SCR 20:6.1, rather than to qualified clients of a legal service program as the Wisconsin Comment to the rule currently provides. The genesis of that particular comment remains unclear. Nevertheless, the Board does not support the proposed change to expand the scope of practice for registered in-house counsel. Registered in-house counsel attorneys do not hold Wisconsin law licenses and therefore should continue to have their scope of practice limited as provided in the existing rule. The Board believes this provides a necessary measure of protection to potentially vulnerable clients and should therefore remain intact.

Thank you for the opportunity to comment on this proposal. If further clarification is needed regarding any of these matters, please contact me.

Very truly yours,



Jacquelyn B. Rothstein
Director

cc: State Bar of Wisconsin, Petitioner (c/o Lisa Roys)

ATTACHMENT

Memorandum

STATE OF WISCONSIN
SUPREME COURT



DATE: March 16, 2016

TO: Justices, Chief Circuit Court Judges (petitioners),
Judge Richard Sankovitz, Julie Rich, J. Denis Moran,
Jean Bousquet, and Marcia Vandercook

FROM: Justice Shirley S. Abrahamson

SUBJECT: Court Decisions Needed re: Appropriations for
Counties, and Funding Mandatory E-Filing

The court voted unanimously to adopt the Amended Rule Petition Establishing Mandatory E-filing. Neither the original Rule Petition on Mandatory E-filing nor the amended Rule Petition adopted any particular method of funding mandatory e-filing.

What is obvious from the hearing and materials submitted is that almost everyone favors mandatory e-filing as long as he, she or it doesn't have to pay for it.

Also what is obvious is that the counties will be the beneficiaries financially of mandatory e-filing. Counties will need less space for storing paper files; court staff time may be saved; etc. The whole state will benefit of course from a more efficient and effective system of filing. The cost savings, however, should ultimately inure to the counties.

At the last conference I asked for information regarding the projections for funding e-filing using the \$20 per attorney filing fee that was discussed in lieu of legislative funding proposed in the court system's budget.

Jean Bousquet provided information that I am attaching to my email. I have requested this information be placed on the website. Although we do not know the basis of the estimates of lawyer filings, if this funding mechanism is adopted we can determine from the actual receipts of the filing fees whether the estimates prove correct and whether the \$20 per attorney fee needs to be revised upward or downward.

Allocations of appropriated funds and the funding mechanism for e-filing is a court, not staff, responsibility. The budget is not easy to decipher, and if I am mistaken regarding any of the following considerations, I assume staff can provide corrections or further information where necessary. Here are some items the court should consider generally regarding appropriations and more specifically, the funding of mandatory e-filing:

1. **Circuit Court Support Payments.** To put the funding mechanism for e-filing in context, the legislature appropriated \$18,552,200 each year for distribution as circuit court support payments to support county costs (circuit court costs are to be defined by the court) starting July 1, 2016. See 2015 Wis. Act 55, at 209, § 20.625(1)(d) (attached). The legislature continued this appropriation. Circuit court costs can include costs for e-filing. No allocation of payments is set by the legislature (the prior statutory allocation was repealed).

The allocation of money to counties is to be set by the court. The legislature deleted any requirement that payments to the counties be made at set times. The counties would, I am sure, be very upset if the court deviated from the allocation set by the repealed legislation. Any deviation from the past legislative allocations would need to be discussed with the counties.

2. **Court Interpreters.** The legislature has continued its appropriation of \$232,700 per annum (program revenue) for reimbursement of county costs for court interpreters. In prior years, the counties received all of these funds as reimbursements. A court decision has to be made about spending these funds. May any of these funds be used for e-filing? See 2015 Wis. Act 55, at 209, § 20.625(1)(k).
3. **Court Interpreter Fees.** The legislature used to appropriate \$1,433,500 per annum to reimburse counties for expenses incurred for court interpreters. In past budget bills, the legislature established how the expenses were to be calculated. In the past, if the legislative appropriation exceeded the allowable reimbursements, the excess was returned to the state. Each year the court system returned about \$500,000 to the state from this appropriation.

Under the 2015-2017 budget bill, after July 1, 2016 the court system gets \$1,433,500 per annum in the funds to be expended for counties. See 2015 Wis. Act 55, at 209,

§ 20.625(1)(c). The budget bill does not state how this sum of money is to be expended. The court should make a decision about spending this sum. Should any of this sum be used for e-filing?

4. **Guardian ad Litem Costs.** Under the 2015-2017 budget bill, after July 1, 2016 the court system gets \$4,691,100 per annum. This sum was, in prior budget bills, allocated to reimburse counties for guardian ad litem costs. The budget bill does not state how the court should expend this sum of money. The court has to make a decision about spending this sum. Should any of this sum be used for e-filing?
5. **Lawyer Assessment.** Lawyers (and clients) paying e-filing fees for filing civil cases will bear the costs incurred for e-filing in criminal cases. As Jean Bousquet explains, in criminal cases most lawyers are government lawyers and they pay no e-filing fees. Is this fair? How better can we allocate who pays for e-filing in criminal cases? Should the court consider imposing an annual fee on all lawyers in the state to pay for mandatory e-filing? Would this be a fairer system?

2015 Senate Bill 21	- 209 -		2015 Wisconsin Act 55	
STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2015-2016	2016-2017
PROGRAM REVENUE			552,250,700	558,156,700
FEDERAL			(141,209,000)	140,895,000
OTHER			(96,656,200)	(97,417,500)
SERVICE			(514,265,500)	(519,744,400)
SEGREGATED REVENUE			154,440,000	155,463,500
FEDERAL			(2,815,500)	(2,819,400)
OTHER			(181,624,500)	(182,644,100)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			1,354,837,600	1,751,451,100

Judicial

20.625 Circuit Courts

(1) COURT OPERATIONS					
(a)	Circuit courts	GPR	S	72,799,500	72,799,500
(b)	Permanent reserve judges	GPR	A	-0-	-0-
(c)	Court interpreter fees	GPR	A	1,453,500	-0-
(cg)	Circuit court costs	GPR	B	-0-	24,676,600
(d)	Circuit court support payments	GPR	B	16,552,200	-0-
(e)	Guardian ad litem costs	GPR	A	4,691,100	-0-
(g)	Sale of materials and services	PR	C	-0-	-0-
(k)	Court interpreters	PR-S	A	232,700	232,700
(m)	Federal aid	PR-F	C	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	97,470,300	97,470,300
PROGRAM REVENUE	232,700	232,700
FEDERAL	(-0-)	(-0-)
OTHER	(-0-)	(-0-)
SERVICE	(232,700)	(232,700)
TOTAL-ALL SOURCES	97,703,000	97,703,000

20.625 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	97,470,300	97,470,300
PROGRAM REVENUE	232,700	232,700
FEDERAL	(-0-)	(-0-)

¶25 ANN WALSH BRADLEY, J. (*Concurring*). I have consistently voted in favor of electronic filing. It will enhance the operations of the circuit courts throughout this state. So many people have worked long and hard to bring this petition to fruition and this court is truly appreciative of their efforts.

¶26 I write separately, however, because I believe as a court we have shirked our responsibility and have inadequately reviewed further options exploring how to finance e-filing. See Justice Abrahamson's concurrence, ¶¶4-21. Instead, we have taken a route that essentially imposes a tax on those who use the courts by substantially increasing court filing fees.

¶27 Although there is provision in the rule for some waiver of fees,¹ I remain concerned that in certain areas we may be financing this e-filing project on the backs of those who can least afford it. Because I think that we can and should do better, I respectfully concur.

¹ See e.g. Sub. (7)(c), " . . . The electronic filing fee shall not be charged to Wisconsin state and local government units."

