

SUPREME COURT OF WISCONSIN

No. 16-05C

**In re creation of a pilot project for dedicated
trial court judicial dockets for large claim
business and commercial cases (Dane County)**

FILED

MAR 13, 2020

Sheila T. Reiff
Clerk of Supreme Court
Madison, WI

In 2017, the Wisconsin Supreme Court approved creation of a pilot project for commercial court dockets for large claims business and commercial cases (commercial court docket or pilot project). See S. Ct. Order 16-05, 2017 WI 33 (issued Apr. 11, 2017, eff. July 1, 2017) (approving pilot project following receipt of public comment and public hearing), as amended by S. Ct. Order 16-05A (issued Feb. 12, 2020) (extending and expanding project); S. Ct. Correction Order 16-05B (issued Feb 22, 2020).¹ This order reflects Interim Rule amendments to accommodate the addition of Dane County to the pilot project. Therefore,

IT IS ORDERED that, effective the date of this order:

¹The interim commercial court rule applies only to this pilot project. If, upon the conclusion of the pilot project, the Business Court Advisory Committee recommends the Wisconsin Supreme Court adopt a statewide commercial court docket, the Committee will file a formal rule petition, whereupon the court will invite public comment and schedule a public hearing on the matter.

SECTION 1. Section 2 d) of the Interim Commercial Court Rule is amended to read:

2. d) The circuit courts for Waukesha County and in the Eighth Judicial Administrative District are hereby designated as the initial locations for the Commercial Court dockets. The circuit courts of Dane County, The the circuit courts of the Second Judicial Administrative District, and the circuit courts of the Tenth Judicial Administrative District are hereby designated as additional locations for the Commercial Court dockets. For the purposes of this pilot project, Iron County shall be considered part of the Tenth Judicial Administrative District forthwith.²

SECTION 2. Section 2 e) of the Interim Commercial Court Rule is amended to read:

2. e) The Chief Justice shall select the circuit court judges in the counties and judicial administrative districts participating in the pilot plan who will be assigned to the Commercial Court docket. Selection of a judge for the Commercial Court docket shall not preclude the judge from continuing work on any other assigned docket. The Chief Justice shall select no fewer than: three circuit court judges in Waukesha County; no fewer than three circuit court judges in Dane County; no fewer than four circuit court judges within the Eighth Judicial Administrative District; no fewer than four circuit court judges within the Second Judicial Administrative District; and no fewer than three circuit court judges within the Tenth Judicial Administrative

² See S. Ct. Order 19-21, 2020 WI 17 (issued Feb. 13, 2020) (transferring Iron County to Tenth Judicial Administrative District effective July 1, 2020).

District. The Chief Justice may also add additional counties and/or districts to the Commercial Court docket upon the recommendation of the Director of State Courts.

SECTION 3. Section 7 b) of the Interim Commercial Court Rule is amended to read:

7. b) Clerk of court duties.

1. In Dane County and Waukesha County, upon the filing of a case qualifying for the Commercial Court docket, the clerk of court shall assign the case to the Commercial Court docket and to one of the judges designed for the commercial court docket. In the event of a request for judicial substitution, the case shall be transferred to the next ~~Waukesha County~~ circuit court judge who is assigned to the ~~Waukesha County~~ Commercial Court docket in that county.

SECTION 4. Section 10 b)1. of the Interim Commercial Court Rule is amended to read:

10. b) The procedure for a joint petition for transfer shall be as follows:

1. A joint petition for transfer of a case under this section shall be submitted to the District Court Administrator for the Eighth Judicial District. The District Eight Court Administrator shall refer the petition to the Chief Judges for the Second, Third, Fifth, Eighth, and Tenth Judicial Administrative Districts.

SECTION 4. Section 10 b)3. of the Interim Commercial Court Rule is amended to read:

3. The Chief Judges shall, upon allowing a transfer, assign the cases to the Commercial Court docket and to one of the judges designated

for the Commercial Court docket in Dane County, Waukesha County, or within the Second, Eighth, or Tenth Judicial Administrative District.

IT IS FURTHER ORDERED that the Dane County Circuit Court may commence the pilot project effective the date of this order or as soon thereafter as reasonably practicable.

IT IS FURTHER ORDERED that this order and the interim commercial court rule, as amended, shall be made available to the public on the court's website.

Dated at Madison, Wisconsin, this 13th day of March, 2020.

BY THE COURT:

Sheila T. Reiff
Clerk of Supreme Court

