

**SUPREME COURT OF WISCONSIN**

## NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 24-03

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**In the Matter of Amending SCR 70.14(1)(k),  
70.155(4) and (5), 70.19(3)(c), 70.20(2),  
70.21(4), (5), (9), (14), (16), (16e), (16s),  
and (17e), 70.23(4), 70.24(2), 70.31,  
70.36(1)(a) and (1)(b), 70.40(2)(bm); Creating  
SCR 70.14(1)(L), 70.21(8w) and (20s); and  
Repealing SCR 70.21(6), (17) and (17m)**

**FILED****DEC 26, 2024**

Samuel A. Christensen  
Clerk of Supreme Court  
Madison, WI

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On June 19, 2024, The Director of State Courts (the Director) filed this rule petition asking the court to amend, create, and repeal parts of Supreme Court Rule Chapter 70, pertaining to the rules of judicial administration. The requested changes can be grouped into six general categories: (1) membership of the Planning and Policy Advisory Committee (PPAC); (2) translation of court forms; (3) permitting the Director to extend the deadline for circuit court judges to submit a matter for decision under SCR 70.36(1)(a); (4) correcting statutory cross-references and updating the descriptions of the duties of chief judges; (5) formatting corrections; and (6) other miscellaneous changes.

A letter soliciting public comments was sent to interested persons on September 5, 2024. The court did not receive any comments regarding the petition.

A public hearing notice was issued on November 5, 2024, and the court held a public hearing on December 17, 2024, during which the Hon. Audrey K. Skwierawski, Director of State Courts, presented the petition to the court. At the ensuing open administrative conference, the court voted 7-0 to grant the petition in part, and deny it in part. Specifically, the court agreed to revise the rules as requested in Sections 1-23 and 25 of the petition, but deny the changes requested in Section 24 of the petition. Therefore,

IT IS ORDERED that, effective January 1, 2025:

**SECTION 1.** Supreme Court Rule 70.14(1)(k) is amended to read:

70.14(1)(k) Two circuit court commissioners, One circuit court commissioner, who shall be selected for a three-year term, the selection to be made alternately, first one selected by the Wisconsin Family Court Commissioners Association, ~~then and~~ one by the Wisconsin Association of Judicial Court Commissioners.

**SECTION 2.** SCR 70.14(1)(L) is created to read:

70.14(1)(L) A chief judge as designated from the committee of chief judges.

**SECTION 3.** SCR 70.155(4) is amended to read:

70.155(4) Use of a translated form does not supersede the need for an interpreter for communicating with counsel, or for ~~in-court~~ proceedings pursuant to s. 885.38, stats. Interpreters may sight translate forms for persons with limited English proficiency consistent with the limitations provided in SCR 63.07. Sight translation is the process of reading a document written in one language while converting it orally into another language. ~~Interpreters may assist individuals in filling out forms to the extent permitted by SCR 63.07.~~

**SECTION 4.** SCR 70.155(5) is amended to read:

70.155(5) Any written translation of a form shall be accompanied by an affidavit stating that the translator knows English and the second language and that in making the translation the translator carefully translated the form from English into the other language and that the translation is true and correct.

**SECTION 5.** SCR 70.19(3)(c) is amended to read:

70.19(3)(c) Where necessary, establishment of days, and hours, and location for court operation.

**SECTION 6.** SCR 70.20(2) is amended to read:

70.20(2) The administrative authority of the chief judge extends to the municipal courts of the judicial administrative district. If a municipal court is located in more than one judicial administrative district, the chief judge whose district includes the county having the largest portion of the population served by the municipal court shall have administrative authority over that court, consistent with section ~~755.001(2)~~ 755.001(2) of the statutes.

**SECTION 7.** SCR 70.21(4) is amended to read:

70.21(4) Section 48.06(1)(a)2., governing intake and court services for child welfare matters under chapter 48 of the statutes, and section 938.06(1)(a)2. of the statutes, governing intake and court services for juvenile matters under chapter 938 of the statutes: policy formulation and supervision of court services related to juvenile matters in counties with a population of ~~50~~750,000 or more.

**SECTION 8.** SCR 70.21(5) is amended to read:

70.21(5) Sections 48.06(2)(a) and 938.06(2)(a): approval of circuit judge's policy governing juvenile intake workers in counties with a population of less than 50750,000.

**SECTION 9.** SCR 70.21(6) is repealed and amended to read:

70.21(6) Repealed.

**SECTION 10.** SCR 70.21(8w) is created to read:

70.21(8w) Section 51.45(13)(dm): designation of judge or circuit court commissioner to act in all involuntary commitments before the final hearing.

**SECTION 11.** SCR 70.21(9) is amended to read:

70.21(9) Section 59.40(1)(b): approval of appointment of deputy clerks in counties with a population of 750,000 or more.

**SECTION 12.** SCR 70.21(14) is amended to read:

70.21(14) Section 753.30(1): approval of appointment of clerk of court as register in probate in counties having only one circuit court judge.

**SECTION 13.** SCR 70.21(16) is amended to read:

70.21(16) Section 756.001(5): designation of a circuit judge to supervise the jury system.-

**SECTION 14.** SCR 70.21(16e) is amended to read:

70.21(16e) Section 757.68~~(1)(a)~~: appointment and removal of circuit court commissioners.

**SECTION 15.** SCR 70.21(16s) is amended to read:

70.21(16s) Section 757.69(1~~m~~)(~~g~~): designation of the juvenile court commissioner location.

**SECTION 16.** SCR 70.21(17) is repealed and amended to read:

70.21(17) Repealed.

**SECTION 17.** SCR 70.21(17e) is amended to read:

70.21(17e) Section 767.405(1m)~~11(1)(a) and (b)~~: approval of the appointment of the family court counseling services director.

**SECTION 18.** SCR 70.21(17m) is repealed and amended to read:

70.21(17m) Repealed.

**SECTION 19.** SCR 70.21(20s) is created to read:

70.21(20s) Section 968.26(5): determine whether a John Doe case should be extended beyond the statutory time limits.

**SECTION 20.** SCR 70.23(4) is amended to read:

70.23(4) In cases of substitution, mandatory disqualification or self-disqualification, the judge shall direct the clerk of courts or register in probate of his or her county promptly to notify the chief judge. The chief judge shall assign another judge to preside in the case. ~~The chief judge may direct assignment of judges under this subsection by lot under a tab system.~~ The self-disqualification of a judge requires approval by the chief judge but may be subject to judicial administrative district rules. The chief judge shall provide for the assignment of another judge from within the judicial administrative district, except that if the chief judge deems it necessary the chief judge shall call upon the director of state courts to assign a judge from outside the judicial administrative district or a reserve judge.

**SECTION 21.** SCR 70.24(2) is amended to read:

70.24(2) When making an assignment under sub. (1), the chief judge by order may assign a municipal judge or a reserve municipal judge from outside the judicial administrative district. Before making the

assignment of a reserve municipal judge, the chief judge shall inform ~~consult with~~ the chief judge of the reserve municipal judge's district.

**SECTION 22.** SCR 70.31 is amended to read:

70.31 District court administrators shall be appointed by the respective chief judges from a list of candidates supplied by the director of state courts, who is responsible for recruiting for these positions. The chief judge may reject a list and request ~~one~~ additional lists of candidates.

**SECTION 23.** SCR 70.36(1)(a) is amended to read:

70.36(1)(a) Every judge of a circuit court shall decide each matter submitted for decision within 90 days of the date on which the matter is submitted to the judge in final form, exclusive of the time the judge has been actually disabled by sickness. If a judge is unable to do so, within 5 days of the expiration of the 90-day period the judge shall so certify in the record of the matter and notify in writing the parties and the chief judge of the judicial administrative district in which the matter is pending, and the period is thereupon extended for one additional period of 90 days. This subsection applies to an assigned reserve judge.

**SECTION 24.** SCR 70.40(2)(bm) is amended to read:

70.40(2)(bm) Whether all available administrative remedies have ~~been~~ been exhausted.

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.

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Samuel A. Christensen  
Clerk of Supreme Court

