

SUPREME COURT OF WISCONSIN

No. 05-05

**In the matter of the Creation of Wis. Stat.
§ 802.12(5) relating to Memorializing
Settlements Reached by Way of Alternative
Dispute Resolution**

FILED

SEP 1, 2006

Cornelia G. Clark
Clerk of Supreme Court
Madison, WI

On February 16, 2005, Attorney Donald Leo Bach filed a petition seeking to amend Wis. Stat. § 807.05 and to create Wis. Stat. § 802.12(5). A public hearing was conducted on this petition on October 25, 2005.

At the ensuing open administrative conference the court discussed the proposed creation of § 802.12(5) and determined that it was appropriate to obtain input from mediators regarding the anticipated scope and impact of the proposed rules change.

With respect to the proposed amendment to § 807.05, the court determined that it would benefit from additional research regarding the practice of other jurisdictions with respect to whether a stipulation made on the record during a deposition should be enforceable. The court directed its staff to undertake this research and to obtain comments from interested parties. On January 26, 2006, Attorney Bach filed an amended petition, requesting this court issue an order creating § 802.12(5), as set forth in the amended petition.

IT IS ORDERED that a public hearing on the amended petition shall be held in the Supreme Court Room in the State Capitol, Madison, Wisconsin, on December 11, 2006, at 9:30 a.m.

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

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

Dated at Madison, Wisconsin, this 1st day of September, 2006.

BY THE COURT:

Cornelia G. Clark
Clerk of Supreme Court