



STATE OF WISCONSIN – JUDICIAL COUNCIL

FEBRUARY 16, 2024 AGENDA

WISCONSIN JUDICIAL COUNCIL
FRIDAY, FEBRUARY 16, 2024 – 9:30 A.M.
WISCONSIN STATE CAPITOL
ROOM 328NW
MADISON, WISCONSIN

**Members wishing to call in should call
(339) 209-6255 at 9:30 a.m. on 2/16/24. There is no Access Code.**

- 1) Roll Call and approval of the Minutes from January 19, 2024.**
- 2) It is time to do reflect on the hard work of our Council Committees, and to do a little housekeeping.**
 - A. In terms of Court rules petitions and related work, Far and away the Appellate Procedure Committee, Chaired by Judge Hruz, has accomplished the most. I will leave it to Judge Hruz to summarize all his Committee's work next Friday.
 - B. The Evidence and Evidence and Civil Procedure Committee (ECP) has also accomplished a very great deal. I know, because I am proud to say that I am a member of that Committee. There is no doubt that the current efforts to review the Rules of Evidence is a daunting task, and Tom Shriner has done a great job! It due solely to his efforts that MU Law Professor Blinka and UW Law Professor Schwartz are assisting greatly with the review.

However sadly, and through no fault of Mr. Shriner, another very important project of the ECP Committee has been languishing. Mr. Shriner had the ECP Committee embark a project to improve and update Wisconsin's Injunction law, now contained in Wis. Stat. Ch. 813. That Chapter has become a catchall for all manner of injunctive rules, some of which have little or nothing to do with the injunctions which may face trial lawyers. It was Mr. Shriner's goal to make our Chapter 813 more compact and relevant to trial law by seeking to model our Wisconsin injunction law after the federal rule on injunctions in FRCP 65. I am attaching some of the work product from the ECP's efforts to modernize Chapter 813. One of the attached is a colorized draft of proposed changes to Chapter 813. In addition, attached is a Word document reflecting the input from a number of ECP Committee members. The work on the ECP proposed improvements has

long been finished. However, for various reasons there has been no action to advance the work of the ECP in the Legislature.

It is difficult enough to complete work on such a project, but then to have it languish for a very long time is very frustrating. I propose that we have a brainstorming session at the Council, including folks such as our Legislators and Sarah Walkenhorst Barber from the Legislative Reference Bureau. Hopefully we find some way to move the improvements to injunction law forward.

I will ask Tom Shriner to kick off a discussion and then I will ask others to weigh in on how to move the injunction project forward. When you think about it, this is not about the need for support staff. The work has been done; now we need to figure out how to move forward.

3) Other Council Committees.

- A. I have appointed Judges Gasiorkiewicz and Dugan as co-chairs of a new subcommittee of the Council dedicated to the study of DAR. We devoted last month's Council Meeting to the DAR issue, as is reflected in our 1/19/24 Minutes. I would ask Judges Gasiorkiewicz and Dugan to report on any new developments.
- B. I would welcome any report from other committees, such as the Criminal Procedure Committee or Margo Kirchner's "Council Corner" Committee.

4) Adjournment.

This Agenda was prepared by Attorney Gleisner.

PUBLIC NOTICE

All meetings of the Judicial Council and its committees are open to the public. The Council's February 16, 2024 meeting will only take place in person in Room 328NW of the Capitol Building. There will be no Zoom access to this meeting. Subject to limits imposed by the size of Room 328NW, members of the public are welcome. However, if any member of the public disrupts the meeting in any way, security will be called, and the disrupting member will be asked to leave. For more information, please contact the Chair of the Judicial Council, Mr. Gleisner, at 414-651-3182 or gleisnerwilliam@gmail.com.