



STATE OF WISCONSIN – JUDICIAL COUNCIL

AMENDED MAY 16, 2025 AGENDA

WISCONSIN JUDICIAL COUNCIL

May 16, 2025 – 9:30 A.M. WISCONSIN

STATE CAPITOL
ROOM 328NW
MADISON, WISCONSIN

**Members wishing to join by telephone should call:
(339) 209-6255 at 9:30 a.m. on 5/16/25. There is no Access Code.**

In the original Agenda, I failed to reference two memos which Judge Hruz will discuss during his Report of the Appellate Practice Procedure Committee. Those Memos accompany this Amended Agenda. Those Memos are as follows: 1) March 10, 2025 Memo by Molly McNab regarding oral arguments and requests for publication; and 2) March 10, 2025 Memo by Caleb Gerbitz regarding a proposed amendment to Wis. Stat. §809.10(4). Judge Hruz has asked that Council members review those memos before his Report. Judge Hruz has requested that members of the Council review those Memos before 5/16/25.

Roll call and approval of minutes.

DISCUSSION OF COUNCIL FUNDING

I. FUNDING EFFORTS TO DATE.

While it has been said before, it bears repeating. Our Vice Chair Margo and our Member Sarah have done an excellent job of seeking funding from the Legislature. They have orchestrated and administered a very ambitious reach out to members of the Legislature, including a draft letter to all members of the Joint Legislative Finance Committee and a very impressive “talking points” memo. Copies of their handiwork will accompany this Agenda. In addition, they have provided names and email addresses

of important legislators and a means by which individual members of the Council can identify the names and addresses of their individual legislators. They have done an extraordinary job. But it has not yet born fruit.

II. FUNDING EFFORTS MOVING FORWARD.

At our meeting on May 16, 2025, I wish to open a discussion of an alternate method of funding. Let me begin by reminding how we used to receive our funding.

Prior to 2016, the Council was funded by what was in effect a stipend from the Supreme Court. In rough terms, the Supreme Court provided funding to us by allocating a small amount of money to the Council from the legislative funds allocated to the Supreme Court. That ended when there was, what I will describe, as a disagreement between the then Chief Justice Roggensack of the Supreme Court and the Council. Our funds were cut and the Chief Justice even went so far as to write a letter to the Legislature asking that the statutory charter of the Council (contained in Wis. Stat. §758.13 be repealed and any reference to the Council be eliminated from State Statutes. However, the Council has persevered without funding.

Nevertheless, the Council has maintained a very good relationship with most of the Justices of the Supreme Court. Then Chief Justice Ziegler was kind enough to write a letter to the Legislature reversing the letter of former Justice Roggensack. Chief Justice Ziegler was also kind enough to appoint Justice Hagedorn to the Council and he proved to be a very valuable member of the Council. Over the recent past we have also been graced with visits at various Council meetings such as now Chief Justice Ann Walsh Bradley and Justices Dallet and Karofsky.

In September 2025, Justice Karofsky will become Chief Justice of the Supreme

Court. Since the Legislature has not acted to provide funding, at our May 16th meeting I am going to propose that we reach out to our new Chief Justice Karofsky. I would propose that we select a group of members and endeavor to set up a meeting with the Chief Justice Karofsky to discuss some arrangement with the Supreme Court which is similar to the one which existed prior to 2016.

III. OTHER BUSINESS TO BE CONDUCTED AT THE MAY 16, 2025 COUNCIL MEETING.

On May 16, 2025, we will hear from the following Council Committees:

- a) Thomas Shriner will give the Evidence and Civil Procedure (ECP) Committee Report, including a discussion of the upcoming recommendations to the Council of the ECP as to proposed improvements to the Wisconsin Rules of Evidence.
- b) Judge Hruz will give the Appellate Procedure Committee (APC) Report, **which will include a discussion of 1) A March 10, 2025 Memo by Molly McNab regarding oral arguments and requests for publication; and 2) A March 10, 2025 Memo by Calib Gerbitz regarding a proposed amendment to Wis. Stat. §809.10(4).**
- c) We hope to hear from Dan Blinka, Jr. concerning the Criminal Procedure Committee.
- d) Council Vice Chair Margo Kirchner will report on “Council Corner” and new articles to be authored by Council members for submission to *The Wisconsin Lawyer* and *Inside Track*.

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 May 16, 2025 meeting will only take place in person in Room 328NW of the Capitol Building. There will be no Zoom access to this meeting. However, the public can attend this meeting by calling: (339) 209-6255 at 9:30 a.m. on 5/16/25. There is no Access Code. 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.