



STATE OF WISCONSIN – JUDICIAL COUNCIL

MARCH 20, 2026 AGENDA

WISCONSIN JUDICIAL COUNCIL

March 20, 2026 – 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 3/20/26. There is no Access Code.**

I. Roll call and approval of Minutes of 2/20/26 Meeting.

Introduction

This will be an interesting, albeit somewhat lengthy meeting. In particular, we will be hearing from two of our esteemed colleagues: 1) Judge Gasiorkiewicz will give us a presentation concerning DAR (discussed more fully below). 2) ECP Chair Shriner will give a more detailed Report concerning the proposed restyling of the Wisconsin Rules of Evidence, which has been the focus of the work of the Evidence & Civil Procedure (ECP) Committee for the past four years.

On a related subject, I distributed hardcopy binders concerning the substance of the ECP's proposed restyling at our last Council meeting. I would appreciate learning by return email from those Council members who have not yet received this binder so that I am certain to bring a sufficient number of hardcopy binders with me next Friday.

**I. REPORT FROM JUDGE GASIORKIEWICZ
REGARDING “DAR” (DIGITAL AUDIO RECORDING).**

I am going to provide a brief summary of my understanding of DAR, so as to provide Council members with an overview of this system, as well as highlighting some of the concerns regarding this system.

Every Circuit Court I have gone into over the past several years contains evidence of DAR. Usually around the top of the courtroom, one will see cameras and audio devices which are designed to pickup what is said in the Courtroom. Supposedly, DAR is meant to be an alternate method of capturing an official court record, used in conjunction with traditional stenographic court reporting.

This system came into existence because of a January 25, 2019 Petition to the Supreme Court by then Director of State Courts, the Honorable Randy Koschnick. The result was Wisconsin Supreme Court Order 19-01 that was supposed to integrate digital technology into the State's court reporting process. A copy of the Supreme Court's April 22, 2019 response to this Petition accompanies this Agenda. The Supreme Court issued Guiding Principles on the use of DAR in March of 2023. A copy of the Supreme Court's Guiding Principles also accompanies this Petition.

Since its introduction, DAR has engendered a number of concerns and questions. For example, does DAR capture everything that occurs in a courtroom, including attorney client privilege conversation or sidebar or other comments of the Court? Where are DAR recordings stored, and for how long? What if there is a conflict between what the stenographic reporter takes down and DAR? The current Administrator of Wisconsin's State Courts, the Honorable Audrey Skwierawski, has been studying DAR and Judge Gasiorkiewicz's presentation at our March 20, 2026 will provide insight into issues that have arisen concerning DAR.

II. ECP CHAIR SHRINER'S OFFICIAL PRESENTATION OF THE PROPOSED RESTYLING OF OUR RULES OF EVIDENCE.

On March 20, 2026 Tom Shriner, Chair of the Council's Evidence and Civil Procedure ("ECP") Committee will provide a more detailed report of the four-year study and work of the ECP in restyling the Wisconsin Rules of Evidence. His report will be followed with a discussion of how the Council should proceed going forward. Here are some of the topics which need to be addressed by the Council:

1. Should the full Council review the work of the ECP and then entertain motions from the Council Members advancing proposed changes or edits to the work of the ECP? This approach would undoubtedly entail remand to the ECP for consideration of any proposed changes.
2. Should the Council give notice to stakeholders now of the Restyling and provide them with the raw work of the ECP? Such a stakeholder notice would be based on the list of stakeholders used by the Supreme Court.
3. Should the Council prepare a Petition and Supporting Memorandum for submission to the Supreme Court, wherein the Council seeks adoption of the proposed restyling? If this approach is taken, it is assumed that the Supreme Court will give its own notice to stakeholders.

III. ADDITIONAL MATTERS TO BE CONSIDERED AT THE MARCH 20 MEETING.

- A. Consideration of 3/9/26 Report from Professor Dan Blinka and Wis. Act 92 (copies of both accompany this Agenda).

- B. We will receive a report from Judge Snow concerning Municipal Court Translator Committee.
- C. We will receive a Report from Tom Shriner regarding the Evidence and Civil Procedure Committee (ECP).
- D. We will receive a Report from Judge Rachel Graham regarding the Appellate Procedure Committee (APC).
- E. We will receive a Report from Dan Blinka, the Younger, concerning the plans of the Criminal Procedure Committee this year.
- F. 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.

PUBLIC NOTICE

All meetings of the Judicial Council and its committees are open to the public. The Council’s March 20, 2026 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 3/20/26. 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.