

MINUTES OF THE MEETING OF THE JUDICIAL COUNCIL
MADISON, WISCONSIN
April 18, 2008

The Judicial Council met at 9:30 a.m., Room 328 NW, State Capitol, Madison, Wisconsin.

MEMBERS PRESENT: Beth E. Hanan, Vice-Chair; Honorable Ann Walsh Bradley, Michael R. Christopher, Allan M. Foeckler, Kathleen E. Grant, Professor Jay Grenig, Catherine A. LaFleur, Honorable Edward E. Leineweber, Robert L. McCracken, Stephen R. Miller, Kathleen A. Pakes, Professor David E. Schultz, A. John Voelker, Honorable Maxine A. White.

MEMBERS EXCUSED: Honorable Michael J. Gableman, Representative Bill Kramer, Marla J. Stephens, Senator Lena Taylor, Honorable Mary K. Wagner, Greg M. Weber, Honorable Ted E. Wedemeyer, Jr.

OTHERS PRESENT: James C. Alexander, Eric Peterson, Cameron Sholty.

I. Call to Order and Roll Call

Vice-Chair Hanan called the meeting to order at 9:30 a.m.

II. Approval of Minutes of March 28, 2008 meeting

MOTION: Kathleen Grant moved, seconded by Michael Christopher to approve the minutes of the March 28, 2008 meeting.

Motion passed unanimously.

III. Judicial Council Transition Report

Beth Hanan reported that build out of the Judicial Council's space in the Tenney building has been started. Also, equipment and some furniture have been selected and will be ordered. Other furniture will await the choice of the new staff person.

IV. Request to review Municipal Court Bill Draft LRB 2894/1

This request for review comes from Senator Taylor. Eric Peterson from Senator Taylor's office explained that the request for the bill came from the Municipal Judges Association. The bill contains many changes in municipal court procedures and operations to make them more efficient. Peterson said that the end goal is to obtain the Council's recommendation by the beginning of the next session of the Legislature. A discussion ensued on the nature and function of municipal courts and why reorganization is needed.

MOTION: Michael Christopher moved, seconded by Catherine LaFleur to review LRB 2894/1, have the Chair appoint a subsequent committee to study it and report to the Council on its recommendations. Professor Schultz suggested that the Council as a whole conduct the study since all that is requested is a review of the provisions of the bill in order to provide any Council recommendation.

Michael Christopher agreed to amend his motion to review the matter but leave open on how the Council should proceed for a future Council meeting. Catherine LaFleur amended her second.

Motion passed unanimously.

V. Request to review Chapter SCR 81-Compensation paid to attorneys appointed by the court

The request for this study by Attorney Charles Senn specifically goes to the amount of compensation for court appointed attorneys.

MOTION: Catherine LaFleur moved, seconded by Judge Maxine White, that the Council accept the matter for review.

Motion passed unanimously.

Vice-Chair Hanan asked Catherine LaFleur to chair this subcommittee studying the proposal and Catherine LaFleur agreed to so do.

VI. Committee Reports

A. Appellate Procedure

Beth Hanan reported that the committee met Tuesday, April 15, 2008. The committee was in the process of drafting rules on the use of pre-sentence investigation reports. Hanan said that she was unsure if the committee would have a draft ready by the Council's June meeting. The draft will mostly likely be ready for Council consideration early in the fall 2008.

B. Criminal Procedure

Professor Schultz had no report.

C. Evidence and Civil Procedure

Judge Leineweber said the committee met after the March Judicial Council meeting reviewing electronic discovery. The committee may have a draft proposal on electronic discovery in early fall. The committee is meeting after the full Council meeting today.

VII. Other Business

A. PPAC Liaison

Judge Leineweber said that the petition regarding video conferencing remains before the Supreme Court.

B. Travel Vouchers

Beth Hanan said that all travel vouchers should be sent to Marla Stephens for review and payment until further notice.

The next Council meeting is May 16, 2008.

VIII. Adjourn to closed session pursuant to Wis. Stat. § 19.85(1)(c), to consider the employment and compensation of a public employee over which the Council has jurisdiction or exercises responsibility.

MOTION: Professor Grenig moved, seconded by Michael Christopher to adjourn to closed session.

Motion passed unanimously.

Council adjourned to closed session at 10:40 a.m.