



STATE OF WISCONSIN – JUDICIAL COUNCIL

MINUTES OF THE MEETING OF THE WISCONSIN JUDICIAL COUNCIL MADISON, WISCONSIN JUNE 19, 2020

The Judicial Council met at 9:35 a.m. on June 19, 2020 via Zoom.

MEMBERS PRESENT: Chair William C. Gleisner; Judge Eugene Gasiorkiewicz; Judge Thomas Hruz; Steven Kilpatrick; Margo Kirchner; Dennis Myers (by phone); John R. Orton; Ben Pliskie; Adam Plotkin; Thomas L. Shriner; Adam Stevenson; Judge Robert VanDeHey; Senator Van Wanggaard (by phone); and Sarah Zylstra.

MEMBERS EXCUSED: Sarah Walkenhorst Barber;; Judge Scott Needham; Diane Fremgen; Representative Ott; and. Christian Gossett;

SPECIAL GUESTS: Lynne Davis (State Bar); Michaela Paukner (Wisconsin Law Journal, by phone); Paige Scobeck (Hamilton Consulting);

I. Roll Call and approval of the February 21, 2020 Minutes.

Roll call taken and February 21, 2020 Minutes were approved.

II. Report from and action on the Special Committee on Judicial Council Procedures and Workflow (the “ad hoc” committee),

Subsequent to the September 20, 2019 meeting, we created a Special Committee on Judicial Council Procedures and Workflow (also known as the “ad hoc” committee), consisting of Margo Kirchner, John Orton and Sarah Zylstra. That Committee provided the Council with a preliminary report, which was discussed at our meeting on November 15, 2019. Sarah Zylstra gave a report on the current status of that report. A motion was made and seconded to approve that report and the procedures governing the conduct of the Judicial Council was adopted unanimously.

III. Discussion of committee meetings which it is hoped will be conducted during July and August of the coming summer of 2020.

It was suggested that committee meetings not to be done on the same day (although breakout meetings via Zoom are possible). Gleisner stated that any committee that wants to meet over the summer should get Gleisner their agendas and he will provide open meeting notices for those meetings. Gleisner said that in the future public meeting notices would include the Hamilton Group. John Orton questioned the necessity of giving notice to non-members of the Council, such as the Group. Gleisner said that it would not be a burden on him to give special notice to the Group. Sarah said since we have given notice of Judge VanDeHey's zoom address for this Council meeting there is no need to give notice of future meetings. However, Gleisner asked "what happens if the host of the meeting changes?" Gleisner stated that he would give notices to all members in the futher and the Hamilton Group.

A number of members asked that Zoom meetings start earlier, for example at 9 a.m. Gleisner will use the 9 a.m. starting time for future meetings. Senator Van Wanggaard volunteered to host meeting in future and suggested that we contact his Chief of Staff, Scott Kelly, to arrange for the use of the Senator's Zoom account. For the September meeting, Gleisner will use his account as host.

IV. Report from Gleisner regarding renewed Budget Request to the State (a copy of budget documents are included with this Agenda).

Gleisner gave an initial report on the budget and stated that he has been in contact with the State Budget Director at DOA and also has reached out to our new budget analyst. Gleisner asked for volunteers from those who have worked on budgets or who have had experience with budgets. Ben Pliskie and Adam Plotkin volunteered. Gleisner appointed them to a Budget Committee and also named himself as a member. Gleisner further appointed Adam Plotkin as Chair of this Committee. Gleisner asked that meetings be conducted over the summer and that a budget request be submitted to the State before the September deadline. Adam agreed.

John Orton moved and Dennis Meyers seconded that the budget committee be vested with power to do whatever is necessary over summer to get budget request done and filed. With Senator Wanggaard and Assistant Attorney General Kilpatrick abstaining, the Council approved this motion unanimously.

V. Approval of Council Calendar for 2020 to 2021.

Attorney Tom Shriner presented the following as the Council calendar for 2020-2021:

Sept. 18, 2020; Oct. 16, 2020; Nov.20,2020; Jan. 15,2021; Feb. 19,2021; Mar. 19, 2021; May 21, 2021; and June 18, 2021.

VI. Election of the Council's Chair and Vice Chair for 2020-2021 (a copy of that proposed calendar is includeed with this Agenda).

Judge Eugene Gasiorkiewicz, Chair of the Nominating Committee (which consists of Judge Gasiorkiewicz, Judge Needam and Judge VanDeHey) gave the Nominating Committee's Report. The Committee nominated Gleisner for Chair and Orton for Vice Chair. Judge Eugene Gasiorkiewicz moved approval of the Report and Dennis Meyers seconded the Report. Gleisner and Orton were voted Chair and Vice Chair.

VII. **Committee Reports.**

Evidence & Civil Procedure Committee. Attorney Shriner, Chair of this Committee, updated the Council on the work of the Committee during the past several years and stated that he believed that the Committee would finish work on a petition to the Supreme Court concerning injunctions in the 2020-2021 calendar year.

Criminal Procedure Committee. Chair Judge VanDeHey stated this Committee hasn't met for a while, but there has been discussion about reviewing the enforcement of Marcy's law in Wisconsin. The Judge also wants to explore more use of Zoom, such as for preliminary hearings.

Appellate Procedure Committee. Chair Thomas Hruz indicated that a project is currently under study regarding post conviction competency.

Additional Business. Final points were made by Gleisner. There won't be an awards ceremony this year. When we are able to have an in-person meeting again we will deal with awards. Gleisner also asked Senator Van Wanggaard about a Council home in the office of the Legislative Council. The Senator stated that Covid-19 has prevented further consideration of this issue for the time being. The Senator also kindly stated that this meeting demonstrates again the importance of the Council to the State of Wisconsin.

VIII. **Adjournment.**

The Council adjourned at 11 a.m.