



STATE OF WISCONSIN – JUDICIAL COUNCIL

AMENDED MINUTES OF THE MEETING OF THE WISCONSIN JUDICIAL COUNCIL MADISON, WISCONSIN May 16, 2025

The Judicial Council met at 9:30 a.m. on May 16, 2025 in Room 328NW.

MEMBERS PRESENT: Chair William Gleisner; Vice Chair Margo Kirchner; Justice Brian Hagedorn; Judge Thomas Hruz; Judge Audrey Skwierawski (appearing by Adam Plotkin); Judge Eugene Gasiorkiewicz; Judge Kristine Snow; Professor Lanny Glinberg; Sarah Barber; Daniel J. Blinka, Jr; Saveon Grenell; Molly McNab; Jeremy Perri; and Tom Shriner; Sarah Zylstra; Senator Van Wanggaard (by phone).

EXCUSED MEMBERS: Judge Judge Emily Lonergan; Judge Scott Needham; Steven Kilpatrick; Rebecca Maki-Wallandar; and Rep. Ron Tusler;

Roll call was taken and the March 21, 2025 Minutes were approved.

I. THE COUNCIL'S BUDGET.

By far, the most important topic on our Agenda is the Council's Budget. Margo spoke first and noted that current Chief Justice Bradley has been a champion of the Council. Margo stated "why wait for Justice Karofsky to become Chief, why not discuss funding with Bradley now. There is no reason to wait till the Fall to discuss funding with the Supreme Court." Tom Shriner observed that there is no reason why we can't be speaking with Karofsky now, before she becomes Chief Justice. Shirner also said we need to realize that the Legislature is not our enemy and continue our efforts there as well.

Sarah Zylstra then stated that Tom had just expressed her thoughts as well. Zylstra noted that we have a friend in Justice Hagedorn and he has spoken to the Court, so why don't we try to work moe with the Court. Zylstra also noted that we have legislators from both sides of the aisle and we should be reaching out to them. Maybe it is best to rely on Senator Wanggaard to guide us on further outreach to the Legislature.

Justice Hagedorn raised some concerns. First, don't forget that the Supreme Court has its own budget priorities, and the Court is working with the Legislature to make those priorities happen. While Justice Hagedorn can't say what is fellow Justices would do and while Justices have discussed sending another letter to the Legislature in support of the Council, we have to realize that advocating for the Council is not the Court's top priority.

Justice Hagedorn also noted that the Court right now is not in a great position to influence the Legislature for reasons that you can probably understand if you are a political observer. Justice Hagedorn further observed that if the goal over the next few months is to get funding for the Council, the Supreme Court is not in a position to make that happen.

While there might be some Justices who would like to see the Court support the Council, the realities are such that the Court as a whole cannot do much to help the Council with its funding needs.

Gleisner observed that both Justice Hagedorn and past Chief Justice Ziegler have been very supportive of the Council, and that is very much appreciated. Justice Hagedorn stated that the Court is always open to dialog with the Council, but there is little that the Court can do to assist with the funding needs of the Council.

Judge Gasiorkiewicz then stated that we have to face reality. The Supreme Court never really funded the Council. The Supreme Court received money from the Legislature, which in the past it elected to share with the Council. But the Supreme Court does not have a separate funding power which it can use, unless the Legislature agrees.

Chair Gleisner then stated that in his view there were two levels to the Council's relationship with the Supreme Court. One is financial. But just as important, the Council has certain abilities which the Council also hopes that it can restore. For example, the Council is in a very good position to assist with research projects for the Court, such as research projects where the Council looks at how other states accomplish certain goals and advise the Court on the pluses and negatives of how other states do certain tasks. Gleisner stated that in his view it would be great if we could reestablish the type of relationship we had with the Court whereby the Court might give us research or drafting assignments.

In Gleisner's opinion, we should still write a letter to the new Chief Justice seeking support for the work of the Council (not unlike the letter Chief Justice Ziegler was kind enough to write) while at the same time making suggestions on how we might be able to improve the relationship between the Council and the Court.

Tom Shriner noted that we used to have a very good relationship with the Court. For example, Chief Justice Abrahamson often sent projects to the Court because it was a way for the Court to learn about issues outside the constraints of actual litigation.

Vice Chair Kirchner asked "how can we do more to get our story before the Legislature?" To which Gleisner responded that both Kirchner and Zylstra have done just about everything that could be done to put our story before the Legislature in general, and before the Joint Finance Committee in particular.

II. OTHER BUSINESS OF THE 3/31/25 COUNCIL MEETING.

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

- a)** Thomas Shriner delivered the report of the Evidence and Civil Procedure (ECP) and discussed the upcoming recommendations to the Council from the ECP regarding proposed improvements to the Wisconsin Rules of Evidence.
- b)** Judge Hruz gave the Appellate Procedure Committee (APC) Report.
- c)** Regarding the Criminal Procedure Committee, Blinka was excused.
- d)** Regarding the “Council Corner” Committee, Council Vice Chair Margo Kirchner reported that articles were being sought for inclusion in “Council Corner” submissions to *The Wisconsin Lawyer* and *Inside Track*.

These Minutes were prepared by Chair Gleisner