



Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

110 E. MAIN STREET, SUITE 440

MADISON, WISCONSIN 53703

Nancy A. Kopp
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Commissioners

Telephone (608) 266-7442

July 17, 2023

To: Interested Persons – See Attached List

Re: Rule Petition 23-01, In the Matter of Amending Wis. Stat. § 809.12, Relating to Appellate Review of Motion for Relief Pending Appeal

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of Rule Petition 23-01, filed on January 23, 2023, by Attorney Caleb R. Gerbitz and Attorney James M. Sosnoski of Meissner Tierney Fisher & Nichols S.C. This rule petition asks the court to amend Wis. Stat. § (Rule) 809.12 "to clarify the standard of review for a decision on a motion for a stay pending appeal." A copy of the petition can be found on the court's website at <https://www.wicourts.gov/scrules/pending/2301.htm>. You have received this letter because you or your agency or organization potentially have an interest in this matter.

A letter soliciting public comment was circulated on May 26, 2023, setting a deadline to submit comments by Friday, June 23, 2023. The court has since received several requests to extend the comment period. Based on those requests, the court has extended the comment period to Monday, October 2, 2023. Petitioners may file a response to the comments no later than Monday, October 16, 2023.

Comments to the rule petition, and any response, should be filed with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. Submissions should also be emailed in Microsoft Word format to clerk@wicourts.gov. See comment guidelines at the court's website at <https://www.wicourts.gov/scrules/process.htm>.

Interested persons may consult the court's website at <https://www.wicourts.gov/scrules/index.htm> to follow this rule petition. Court communications on the petition and any written submissions filed with the clerk's office will be posted on the website.

If you have specific questions regarding this matter, please contact me by mail at P.O. Box 1688, Madison, WI 53701-1688, by telephone at 608-261-6642, or by email at tim.barber@wicourts.gov.

Very truly yours,

/s/

Timothy M. Barber

Supreme Court Commissioner

cc: Chief Justice Annette Kingsland Ziegler
Justice Ann Walsh Bradley
Justice Patience Drake Roggensack
Justice Rebecca Grassl Bradley
Justice Rebecca Frank Dallet
Justice Brian Hagedorn
Justice Jill J. Karofsky
Attorney Caleb R. Gerbitz
Attorney James M. Sosnoski

List of Interested Persons

Badger State Sheriffs' Association, Attn: Executive Director
Board of Administrative Oversight, Attn: Denis Donohoe, Chair
Board of Bar Examiners
Chief Circuit Court Judges
Circuit Court Judges
Clerk of Supreme Court and Court of Appeals, Samuel A. Christensen
Court of Appeals, Attn: Chief Staff Attorney
Court of Appeals Judges
Court Operations: Holly Szablewski, Deputy Director of State Courts, Court Operations
Court Operations: Ann Olson, Krista Miller, Amber Peterson, Trent Koerner, Meg Sternitzky
Department of Administration, State Prosecutors Office, Attn: Kasey Deiss, Director
Director of State Courts, Honorable Randy Koschnick
District Court Administrators
Eastern District of Wisconsin Bar Association, Attn: Katy Borowski, Executive Director
Hamilton Consulting Group, Attn: Rebecca Hogan, R.J. Pirlot, Adam Jordahl
Legal Action of Wisconsin, Attn: Deedee Peterson, Executive Director
Legal Aid Society of Milwaukee, Attn: Colleen Foley, Executive Director
Marquette University Law School, Attn: Joseph D. Kearney, Dean
Office of Lawyer Regulation, Attn: Timothy Samuelson, Director; Barry Boline,
Preliminary Review Committee, Chairperson
Office of State Public Defender, Attn: Kelli S. Thompson
Office of State Public Defender, Attn: Jeremy C. Perri
Office of the Attorney General, Attn: Josh L. Kaul
State Bar of Wisconsin, Attn: Larry Martin, Executive Director
State Bar of Wisconsin, Attn: Lisa Roys, Public Affairs Director
State Bar of Wisconsin, Attn: Dean Dietrich, President
State Bar of Wisconsin, Attn: Jane Bucher, President-Elect
University of Wisconsin Law School, Attn: Daniel Tokaji, Dean; Myra Sun, Exec. Asst.
Western District Bar Association of Wisconsin, Attn: Winn S. Collins
Wisconsin Asian American Bar Association, Attn: Julius Kim, President
Wisconsin Association for Justice, Attn: Bryan Roessler, Executive Director; Jim Rogers,
Government Affairs Director
Wisconsin Association of African American Lawyers
Wisconsin Association of Criminal Defense Lawyers, Attn: Peter McKeever
Wisconsin Association of Judicial Court Commissioners, Attn: Susan Schaubel
Wisconsin Bankers Association, Attn: Kris Cleven, Vice President-Legal
Wisconsin Clerks of Circuit Court Association, Attn: Regina Kolbow, Stacy Kleist
Wisconsin Counties Association, Attn: Marcie Rainbolt
Wisconsin Defense Counsel, Attn: Jenni Kilpatrick, Executive Director; Andrew Hebl,
President

Wisconsin District Attorneys Association, Attn: Greta Mattison, Executive Director
Wisconsin Family Court Commissioners Association, Attn: David Pruhs, Deputy Family Court Commissioner; Lisa Krueger, Family Court Commissioner; Elizabeth Pfeuffer, Family Court Commissioner; Peggy Miller, Family Court Commissioner
Wisconsin Hispanic Lawyers Association, Attn: Pamela M. Ritger
Wisconsin Judicare, Inc., Attn: Beth Ann Richlen, Executive Director
Wisconsin Judicial Commission, Attn: Jeremiah VanHecke
Wisconsin Judicial Council, Attn: William C. Gleisner, III, Chair
Wisconsin Juvenile Court Clerks Association, Attn: Lisa Milella
Wisconsin Municipal Judges Association, Attn: Honorable Robert Kupfer
Wisconsin Newspaper Association, Attn: Beth Bennett, Executive Director
Wisconsin Registers in Probate Association
Wisconsin Sheriffs & Deputy Sheriffs Association, Attn: Sandy Schueller
Wisconsin State Attorneys Association, Attn: John Gelhard
Wisconsin Trial Judges Association, Attn: Honorable Gregory Gill, Jr.
Wisconsin Tribal Judges Association, Attn: Honorable Gwendolyn Topping, President

List of additional interested persons

Attorney Elizabeth M. Pierson and Attorney Daniel S. Lenz, Law Forward Inc.
Attorney Jeffrey A. Mandell, Stafford Rosenbaum LLP
Attorney Scott Rosenow, WMC Litigation Center, Executive Director
State Bar of Wisconsin, Appellate Practice Section, Attn: Matthew S. Pinix, Chairperson
Wisconsin Judicial Council, Appellate Practice Committee, Attn: Honorable Thomas M. Hruz, Chairperson