

In re Proposed Amendment to Rule 809.19(2)

PETITION

relating to Content of Appellate Appendices.

The Court of Appeals, by Chief Judge Richard S. Brown, respectfully petitions the Supreme Court to amend WIS. STAT. RULE 809.19(2), as follows:

Rule 809.19(2) APPENDIX. (a) *Contents.* The appellant's brief shall include a short appendix containing, at a minimum, the findings or opinion of the circuit court, ~~and~~ limited portions of the record essential to an understanding of the issues raised, including oral or written rulings or decisions showing the circuit court's reasoning regarding those issues, and a copy of any unpublished opinion cited under ss. 809.23(3)(a) or (3)(b). If the appeal is taken from a circuit court order or judgment entered in a judicial review of an administrative decision, the appendix shall also contain the findings of fact and conclusions of law, if any, and final decision of the administrative agency. The appendix shall include a table of contents. If the record is required by law to be confidential, the portions of the record included in the appendix shall be reproduced using first names and last initials instead of full names of persons, specifically including juveniles and parents of juveniles, with a notation that the portions of the record have been so reproduced to preserve confidentiality and with appropriate references to the record.

(b) *Certification.* An appellant's counsel shall append to the appendix a signed certification that the appendix meets the content requirements of par. (a) in the following form:

I hereby certify that filed with this brief, either as a separate document or as a part of this brief, is an appendix that complies with s. 809.19 (2) (a) and that contains, at a minimum: (1) a table of contents; (2) the findings or opinion of the circuit court; ~~and~~ (3) a copy of any unpublished opinion cited under ss. 809.23(3)(a) or (3)(b); and (4) portions of the record essential to an understanding of the issues raised, including oral or written rulings or decisions showing the circuit court's reasoning regarding those issues.

I further certify that if this appeal is taken from a circuit court order or judgment entered in a judicial review of an administrative decision, the appendix contains the findings of fact and conclusions of law, if any, and final decision of the administrative agency.

I further certify that if the record is required by law to be confidential, the portions of the record included in the appendix are reproduced using first names and last initials instead of full names of persons, specifically including juveniles and parents of juveniles, with a notation that the portions of the record have been so reproduced to preserve confidentiality and with appropriate references to the record.

Signed:
Signature

This revised petition is directed to the Supreme Court's rule-making authority under Wis. Const., art. VII, sec. 3(1) and sec. 751.12, Stats.

Respectfully submitted on January 13, 2010.

/s/

Richard S. Brown
Chief Judge
Court of Appeals of Wisconsin