
**In re amendment of SCR chs. 70 & 33,
relating to administration of municipal courts**

**PETITION
10-**

The Director of State Courts, on the recommendation of the Committee of Chief Judges, hereby petitions the court to amend SCR chapters 70 and 33 regarding the administration of municipal courts, in keeping with recent legislative changes to Wis. Stats. ch. 755 and 800. This petition is made pursuant to the court's rulemaking authority under §751.12 and its administrative authority over all courts conferred by Article VII, §3 of the Wisconsin Constitution.

TEXT OF PROPOSED CHANGES

SECTION 1. SCR 70.19(4) is amended to read:

(4) The chief judge exercises superintending authority over the administration of judicial business of the municipal courts of the judicial administrative district. The chief judge shall assign municipal judges as specified in SCR 70.24.

SECTION 2. SCR 70.20 is renumbered 70.20(1).

SECTION 3. SCR 70.20(2) is created to read:

(2) The administrative authority of the chief judge extends to the municipal courts of the judicial administrative district. If a municipal court is located in more than one judicial administrative district, the chief judge whose district includes the county having the largest portion of the population served by the municipal court shall have superintending authority over that court, consistent with Wis. Stats. 755.001(2).

SECTION 4. SCR 70.21(15m) is created to read:

(15m) Section 755.01(1): certification that a new municipal court meets the operational standards set forth in chapter 755.

SECTION 5. SCR 70.21(26) is amended to read:

(26) Sections 48.29(1m), 345.315(1m), 799.205(2), 800.05(3), 800.05(5), 801.58(2), 938.29(1m) and 971.20(8): determination of substitution requests and reassignment of judges.

SECTION 6. SCR 70.24 is renumbered as SCR 70.24(1).

SECTION 7. SCR 70.24(2) is created to read:

(2) The chief judge by order may assign a municipal judge from outside the judicial administrative district or a reserve municipal judge. The chief judge may assign a reserve municipal judge to serve in a district other than the judge's former district. Before making the assignment, the chief judge shall consult with the chief judge of the municipal judge's district or former district.

SECTION 8. SCR 33.01(4) is created to read:

(4) "Municipal court clerk" means a court clerk appointed by a municipal judge pursuant to sec. 755.10.

SECTION 9. SCR 33.04(3) is created to read:

(3) Each municipal judge shall designate and require a minimum of one municipal court clerk to attend the annual clerk's training seminar, developed by the judicial education office, at least once every 2 years.

Respectfully submitted this ____ day of _____, 2010.

A. John Voelker
Director of State Courts