

**STATE OF WISCONSIN
IN THE SUPREME COURT**

**In the Matter of the Petition to Amend
Supreme Court Rule Chapter 60, Appendix
Section A.(3), Regarding Administration
of the Judicial Conduct Advisory Committee**

**PETITION 18- ____
Memorandum in Support
of Petition.**

The Honorable D. Todd Ehlers, Door County Circuit Court, in his capacity as Chair of the Judicial Council Advisory Committee (JCAC),¹ submits this memorandum in support of its administrative rule petition.

The JCAC favors an amendment to the Appendix that will facilitate the JCAC's performance of its duties under SCR Chapter 60, Appendix A.(2). This request for a rule change is made pursuant to SCR Ch. 60, Appendix A.(2)(b), which provides that the JCAC shall make "recommendations to the supreme court for amendment to the code of judicial conduct or the rules governing the committee."

The JCAC is tasked with rendering formal advisory opinions and informal advice concerning the compliance of contemplated or proposed future conduct with the code of judicial conduct. A majority of the requests that the JCAC receives may be addressed by the Chair or other JCAC members through informal advice to a requester. See SCR Chapter 60 Appendix Sections A.(5) and B.(6). The frequency of such requests usually increases during the judicial election season. Requesters naturally desire prompt responses. At present, the rule does not contemplate a procedure by which the chair of the JCAC can delegate responsibility to respond to a request for a formal advisory opinion, which can result in delays, if the chair is temporarily unable to respond to a request. The JCAC has determined that creation of a vice chair position would ensure that another individual is available to respond to time sensitive requests if the chair is temporarily unavailable. The JCAC does not think a public hearing is necessary, but defers to the court on whether to request written comment and/or schedule a public hearing.

I am authorized to advise the court that the members of the JCAC committee support this proposal.

Respectfully submitted,

this 21st day of March, 2018.

_____/s
The Honorable D. Todd Ehlers, Door County Circuit Court,
in his capacity as Chair, Judicial Conduct Advisory
Committee

¹ The JCAC is administered under the direction of a chair appointed by this court pursuant to SCR Ch. 60, Appendix Section A.(3).