

BYLAWS OF THE
JUDICIAL CONFERENCE OF WISCONSIN

Article I

MEMBERSHIP

The justices of the Supreme Court, the judges of the Court of Appeals, the judges of the circuit courts, reserve judges, three municipal court judges designated by the Wisconsin Municipal Judges Association, one circuit court commissioner designated by the Family Court Commissioner Association, one circuit court commissioner designated by the Judicial Court Commissioner Association, one judicial representative of a non-Public Law 280 tribal court, and two judicial representatives of Public Law 280 tribal courts designated by the Wisconsin Tribal Judges' Association are the members of the Judicial Conference.

Article II

MEETINGS

Sec. 1. Annual Meeting. The annual meeting shall be held at a place and time designated by the Executive Committee in cooperation with the Office of Judicial Education three years in advance. At the annual meeting the Judicial Conference:

- A. Shall consider and provide for the creation of committees to study particular subjects pertaining to the administration of justice and its improvement, consider the reports of such committees, and consider the problems pertaining to the administration of justice in this state, including the quality and the economic efficiency of the judicial system, and make recommendations for its improvement;
- B. May conduct instructive programs and seminars in order to better equip the

- members of the Judicial Conference for the discharging of their judicial duties;
- C. Shall consider and act on reports and recommendations from the committees;
 - D. Shall conduct elections from among those candidates presented by the Nominating Committee and those nominated from the floor for elective positions created by these bylaws;
 - E. May consider such other matters and conduct such other business as are on the agenda.

Sec. 2. Special Meetings. A special meeting of the Judicial Conference may be called by the Executive Committee. Not less than 30 days prior to any special meeting all Judicial Conference members shall be given written notification of the time and place of the meeting and of the agenda for business to be conducted.

Sec. 3. Quorum. A majority of the members registered at a meeting of the Judicial Conference shall constitute a quorum for the transaction of business at the meeting.

Sec. 4. Conduct of Business. Business shall be conducted upon a vote of a majority of the members present and voting unless otherwise provided.

Sec. 5. Parliamentary Authority. Robert's Rules of Order shall be the parliamentary authority on all matters not covered by the statutes or the bylaws.

Article III

OFFICERS

Sec. 1. Titles and Selection. The officers of the Judicial Conference shall be a chairperson, a first vice-chairperson, a second vice-chairperson and a secretary. The chairperson shall be the chief justice of the Supreme Court and the first vice-chairperson shall

be the next senior justice of the Supreme Court. The second vice-chairperson and secretary shall be circuit judges elected to a term of three years commencing upon the adjournment of the annual meeting at which the second vice-chairperson and secretary are elected. A vacancy in the office of second vice-chairperson and secretary during a term shall be filled by the Executive Committee of the Judicial Conference until the next succeeding annual meeting, at which time the office shall be filled by election for a new three-year term. The second vice-chairperson and secretary shall not serve for more than two consecutive three-year terms.

Sec. 2. Duties of the Officers.

A. Chairperson. The chairperson shall:

- (1) Be a member of the Executive Committee;
- (2) Preside at all meetings of the Judicial Conference;
- (3) Perform such other duties as are necessary and proper for the operation of the Judicial Conference or the judiciary.

B. First Vice-chairperson. The first vice-chairperson shall:

- (1) Be a member of the Executive Committee;
- (2) Exercise the authority otherwise vested in the chairperson during the absence, sickness or disability of the latter.

C. Second Vice-Chairperson. The second vice-chairperson shall:

- (1) Be a member of the Executive Committee;
- (2) Exercise the authority otherwise vested in the chairperson and first vice-chairperson during the absence, sickness or disability of both.

D. Secretary. The secretary shall:

- (1) Be a member of the Executive Committee;

- (2) Be responsible for making, keeping, and distributing to each Judicial Conference member a record of the proceedings of the Judicial Conference and the Executive Committee;
- (3) Issue all notices and reports and perform such other duties required by the bylaws or which may be ordered by the Conference chairperson or the Executive Committee;
- (4) At least 90 days prior to the annual meeting of the Conference solicit by mail from each Judicial Conference member proposed Conference resolutions and proposed Conference bylaw amendments to be acted upon at the annual conference and to distribute such proposal to each Conference member not less than 30 days prior to the conference;
- (5) Have charge of the records of the Judicial Conference and all other papers and reports kept on file.

Article IV

EXECUTIVE COMMITTEE

Sec. 1. Composition of the Committee. The Executive Committee shall consist of the officers of the Judicial Conference and five Conference directors. At least three of the five Conference directors shall be circuit judges, no more than one of the five Conference directors may be a reserve judge and no more than one of the five Conference directors may be a Court of Appeals judge. The directors of the Executive Committee shall be elected for three-year terms. No member may serve more than two consecutive terms. The election of directors of the Conference shall be staggered. (At the first election following the adoption of these

bylaws, one director shall be elected for one year, two directors for two years, and two directors for three years). To retain some geographical balance, not more than one director may be from a single judicial administrative district.

Sec. 2. Officers. The officers of the Judicial Conference shall serve as the officers of the Executive Committee.

Sec. 3. Meetings. Meetings of the Executive Committee shall be held at least quarterly at the time and place set by the chairperson or upon the request of any two members of the Executive Committee.

Sec. 4. Functions. The Executive Committee:

- A. Shall have general charge of the affairs and activities of the Judicial Conference; plan and set the agenda of the annual meeting and any special meetings of the Conference; act and dispose of issues arising between annual conferences on behalf of the Conference. The annual meeting agenda shall be tentatively completed at least six months prior to the annual meeting;
- B. Shall direct the Legislative Committee on matters of policy; and shall accept or reject the recommendations made by the Legislative Committee on legislation proposed by members or committees of the Conference.
- C. Shall indicate its approval, disapproval, or suggested modifications of each resolution before forwarding it to the Judicial Conference for action;
- D. Shall fill vacancies in the office of the Judicial Conference second vice-chairperson and secretary; Judicial Conference directors; and in the circuit judge membership of the Judicial Council;
- E. Shall, not less than once every two years, conduct mail polls of the Judicial

Conference members to generate a list of problems and issues of concern to members of the judiciary;

F. Shall provide staff assistance to active committees;

G. May request that the Supreme Court appoint and fund delegates selected by the Executive Committee to attend activities of national court related organizations.

H. May perform such other duties as are necessary and proper for the operation of the Judicial Conference or the judiciary.

Article V

STANDING CONFERENCE COMMITTEES

Sec. 1. The following standing committees or membership in existing committees is established by these bylaws:

A. **CRIMINAL JURY INSTRUCTIONS COMMITTEE.** The Criminal Jury Instructions Committee shall study and prepare model criminal jury instructions and related materials. The committee need not submit instructions or related materials to the Judicial Conference for approval. The committee shall consist of eleven members elected by the Conference.

B. **CIVIL JURY INSTRUCTIONS COMMITTEE.** The Civil Jury Instructions Committee shall study and prepare model civil jury instructions and related materials. The committee need not submit instructions or related materials to the Judicial Conference for approval. The committee shall consist of seven members elected by the Conference. The Committee may, at any time, appoint up to four

former members to advise and assist the Committee on specific instructions with which the former member has expertise. A former member, appointed by the Committee, is eligible for reimbursement of expenses incurred, in accordance with travel guidelines.

C. UNIFORM BOND COMMITTEE. The Uniform Bond Committee shall prepare a uniform traffic deposit schedule, a uniform trespass to land deposit schedule, a uniform conservation deposit schedule, a uniform cash bail schedule for misdemeanors, an alcohol beverages, harassment, tobacco, University of Wisconsin rules, drug paraphernalia and safety violations deposit schedule and such other schedules as are necessary. Such bail and deposit schedules are subject to review by the Judicial Conference. The committee shall consist of seven members elected by the Conference, one of whom may be a municipal court judge.

D. LEGISLATIVE COMMITTEE. The Legislative Committee shall advise the executive, the legislative and the judicial branches of government of recommendations for the improvement of matters pertaining to the administration of justice. The activity may include but is not limited to opposing or supporting legislation pending in the Legislature. The Legislative Committee shall promote the drafting, introduction and passage of legislation, as required, in accordance with positions taken by the Judicial Conference. The Legislative Committee shall consider recommendations on legislative matters. It shall take no positions contrary to previously stated positions of the Conference or Executive Committee. Any resolution or initiative for Conference adoption which addresses legislative changes shall be submitted to the Legislative Committee for its review and

recommendation at least one month prior to the annual meeting of the Conference. The recommendation of the Legislative Committee shall be submitted to the Executive Committee. A copy of the proposed change and an analysis of its impact shall be included in the submission to the Conference if the original proposal is approved by the Executive Committee. If the Executive Committee does not approve the original proposal no further action shall be taken on it as a Conference initiative unless two-thirds of the membership in attendance at the business meeting vote to bring it to the floor.

(1) Membership: Members of this committee are the chief justice of the Supreme Court, or the chief justice's designee, and eight members at large elected by the Judicial Conference.

(2) Committee Officers: The chief justice shall serve as chairperson. The committee shall meet at the end of the annual conference to elect one of its members as vice-chairperson. The vice-chairperson shall preside in the absence of the chairperson. The committee members shall fill a vacancy in the office of vice-chairperson at its next meeting following the creation of the vacancy.

(3) Meetings: The committee shall meet at least quarterly and upon the call of the chairperson or upon the written request of any three members of the committee.

(4) Annual Report: The Legislative Committee shall submit a summary of its activities at the annual meeting of the Judicial Conference.

E. NOMINATING COMMITTEE. The Nominating Committee shall prepare and

present to the annual meeting of the Judicial Conference a slate of candidates for all offices, committees and positions that this Conference by its bylaws, by state statute or by direction of the Supreme Court or chief justice require to be filled. The Nominating Committee shall nominate one candidate for each position. The members of the Nominating Committee shall be the chairpersons of the Judicial Conference standing committees and the secretary of the Conference. (If the chairperson of the Judicial Council is not a member of the Judicial Conference, the Judicial Council representative on the Nominating Committee shall be a member of the Conference. Such representative shall be elected by the Conference members on the Judicial Council.) The members of the Nominating Committee shall meet at the conclusion of the judicial conference to elect their chairperson from among their members. The Conference secretary shall serve as the secretary of the Nominating Committee. Prior to selecting nominees for the annual meeting the Nominating Committee shall:

(1) Cause to be circulated at least 90 days before the annual conference to all members of the Conference:

- (a) A list of all committees setting forth the committee membership and the member's term expiration date;
- (b) A list of positions with vacancies, expiring terms, or new positions to be filled with a brief description of the positions, the name of the current holder, if any, and whether or not he/she is eligible for renomination;
- (c) A request that any Conference members interested in serving

in any of these positions reply by indicating their interest and preference at least 60 days prior to the conference;

(d) A notice that any Conference member may suggest the names of other Conference members to serve in the open positions by replying 60 days prior to the conference.

(2) Complete its work and mail out to the membership a list of all nominees at least 30 days prior to the annual conference.

F. JUDICIAL COUNCIL. The Judicial Council is an existing committee with membership established by Wisconsin Statutes §758.13. Four circuit judges are to be designated by the Judicial Conference to serve on this council. They shall be elected by the Conference membership. In addition to their other duties, when the Council chairperson is not a member of the Judicial Conference, the circuit judge members shall choose from among themselves a representative to the Nominating Committee.

G. JUVENILE JURY INSTRUCTIONS COMMITTEE. The Juvenile Jury Instructions Committee, in cooperation with the University of Wisconsin Law School, shall study and prepare model Children's Code jury instructions and related materials. The committee need not submit instructions or related materials to the Judicial Conference for approval. The committee shall consist of nine members elected by the Conference.

Sec. 2. Standing Committees, Terms, Officers, and Vacancies.

A. Standing Committee Terms of Office. Terms of office for all elected and appointed members of standing committees shall be staggered and of the

following duration:

- (1) Civil and Criminal Jury Instructions Committees - Five years
- (2) Judicial Council - Four years
- (3) All other standing committees - Three years
- (4) No member shall serve more than two full consecutive terms

B. Standing Committee Officers. Except for the chairperson of the Legislative Committee, all other standing committees shall elect their own officers and fill vacancies in their committee offices promptly. Each standing committee shall meet immediately following the annual business session of the Conference and elect its officers. Standing committee officers' terms shall be for one year with no restriction on consecutive terms.

C. Standing Committee Members Vacancies. Except for the Judicial Council, a vacancy during a term of office among the elected members of a standing committee shall be filled by the remaining elective members of that committee. Vacancies during a term of office in the Judicial Council shall be filled by the Conference Executive Committee. The person so elected shall serve until the next annual conference when the Conference shall elect a member to commence a new full term.

Article VI

OTHER COMMITTEES

Sec. 1. Study Committees. The Judicial Conference or the Executive Committee of the Judicial Conference may create committees to study particular subjects pertaining to the

administration of justice and its improvement in terms of the quality of the decision-making process and the economic efficiency of the judicial system and to report the results of their studies together with their recommendations to the next annual meeting of the Judicial Conference. The Judicial Conference in creating these committees shall determine the number of members and the length of the members' terms. The committee membership may be selected by the Executive Committee of the Judicial Conference.

Sec. 2. Other Committees. Other committees may be created by the Judicial Conference to perform duties for which provision is not otherwise made in these bylaws. The Judicial Conference in creating a committee shall determine the duration of the committee and the number of the members and their terms. The committee membership may be selected by the Executive Committee of the Judicial Conference.

Article VII

AMENDMENT

The bylaws may be amended at any meeting of the Judicial Conference by a vote of two-thirds of the members present.

Article VIII

FORMS

In the event that the Judicial Conference is required by statute or rule to create or assist in the development or amendment of forms, the judicial members of the Records Management Committee, an advisory committee to the Director of State Courts Office, are authorized to act on behalf of the Judicial Conference.

Article IX

DEFINITIONS

As used in these bylaws in reference to terms of office, the word "year" shall be the period of time from the adjournment of one annual meeting to the adjournment of the next annual meeting.