

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Appointment of Special Prosecutor under Chapter 978

- The district attorney for _____ County requested the appointment of a special prosecutor under §978.045, Wis. Stats.
- An affidavit was filed with the Department of Administration.
- The court on its own motion is appointing a special prosecutor under §978.045, Wis. Stats.

THE COURT FINDS:

1. Attorney _____ is appointed special prosecutor for:
 - The period _____ to _____, plus reasonable preparation time.
 - The matter of: State of Wisconsin Other: _____
vs. _____, Case No. _____.
2. The reason for the appointment:
 - A. There is no district attorney for the county.
 - B. The district attorney is absent from the county.
 - C. The district attorney, or a deputy or assistant district attorney, is on parental leave.
 - D. The district attorney has acted as an attorney for a party accused in relation to the matter of which the accused stands charged and for which the accused is to be tried.
 - E. The district attorney is near of kin to the party to be tried on a criminal charge.
 - F. The district attorney is unable to attend to duties due to a health issue or has a mental incapacity that impairs ability to perform duties.
 - G. The district attorney is serving in the U.S. armed forces.
 - H. The district attorney is charged with a crime and the governor has not acted under §17.11, Wis. Stats.
 - I. The district attorney determines that a conflict of interest exists regarding the district attorney or the district attorney staff.
3. Compensation is set at the following rate:
 - A. No compensation is to be paid because this person is from another prosecutorial unit or an assistant attorney general.
 - B. Hourly rate specified in §977.08(4m)(b), Wis. Stats.
 - C. Other: _____
4. Disbursements may be submitted to _____ County for payment, if incurred.
5. The Department of Administration shall pay the compensation ordered by the court.

> **Send a copy of this Appointment to:**
1. Director
State Prosecutor's Office
Department of Administration
P.O. Box 7869
Madison, WI 53707-7869
Telephone: (608)267-2700
2. Agency responsible for paying disbursements.