

SUPREME COURT OF WISCONSIN

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In the Matter of the Amendment of  
Rules of Pleading, Practice and Procedure:  
Wis. Stat. § 756.28(2) -- Juror Eligibility  
and Service

ORDER  
No. 95-11

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The court held a public hearing October 11, 1995 on the petition of the Judicial Council of Wisconsin to amend the rule, Wis. Stat. § 756.28(2), providing for eligibility for juror service to extend the term of eligibility from two to four years, to change the time for availability for service from six months to 30 days and to limit actual service to five days except when necessary to complete a particular case. Following the public hearing, the Judicial Council expressed its agreement with the recommendation of the Committee of Chief Judges and District Court Administrators to extend the availability for service to 31 days.

The court has considered the petition, the material filed in response to the notice of public hearing and the presentations at the public hearing.

IT IS ORDERED that, effective July 1, 1997, Wis. Stat. § 756.28(2) is repealed and recreated to read:

756.28(2) GENERAL 4-YEAR ELIGIBILITY. In a county that does not establish a system under sub. (1), a person may be required to be available for service as a grand or petit juror only once in any 4-year period. The period for which any person may be required to be available for service shall not exceed 31 days, and no person shall be required to serve, or attend court for

prospective service, as a juror for a total of more than 5 days of actual court attendance unless more days are necessary to complete service in a particular case.

**JUDICIAL COUNCIL NOTE, 1995:** Subsection (2) has been revised, effective July 1, 1997, to specify that a person may only be required to be available for jury service once in any 4-year period. The maximum term of jury availability is reduced to 31 days, and the maximum number of days of actual court attendance is limited to five, unless more are necessary to complete a particular trial. This change is intended to implement the recommendations of the American Bar Association that such periods be as short as possible, consistent with the needs of justice.

IT IS FURTHER ORDERED that the Note of the Judicial Council is not adopted but shall be printed for information purposes.

IT IS FURTHER ORDERED that notice of this amendment of the rules of pleading, practice and procedure shall be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 29th day of May, 1996.

BY THE COURT:

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Marilyn L. Graves, Clerk