

SUPREME COURT OF WISCONSIN

NOTICE

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 07-15

In the matter of the Proposed Amendment to Wis.
Stat. § (Rule) 809.18 (Voluntary Dismissal)

FILED**APR 2, 2008**

David R. Schanker
Clerk of Supreme Court
Madison, WI

On November 27, 2007, the Wisconsin Court of Appeals petitioned the court to amend Wis. Stat. § (Rule) 809.18 governing voluntary dismissals of cases on appeal to create a subsection which requires the parties to immediately notify the court that the matter has been compromised or settled. A public hearing was held on Friday, March 14, 2008. Margaret A. Carlson, Chief Staff Attorney for the Wisconsin Court of Appeals, presented the petition. The Honorable Charles R. Dykman, Judge, District IV Court of Appeals, also appeared. There were no other appearances. The court received no comments opposing the petition.

At the ensuing open administrative conference, the court voted to adopt the petition, with modifications. Accordingly, effective July 1, 2008, Wis. Stat. § (Rule) 809.18 is amended as follows:

Section 1. Section 809.18 of the statutes is renumbered 809.18 (1).

Section 2. Section 809.18 (2) of the statutes is created to read:

809.18 (2) If the parties compromise or otherwise settle the entire matter in litigation prior to the issuance of the decision of the court of appeals, the appellant shall immediately inform the court in writing, signed by all parties, that the matter has been compromised or settled. Upon receipt of such information, the court shall dismiss the appeal in accordance with sub. (1).

IT IS ORDERED that notice of this amendment of Wis. Stat. § (Rule) 809.18 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 2nd day of April, 2008.

BY THE COURT:

David R. Schanker
Clerk of Supreme Court

