

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. 12-06

In the matter of the Amendment of Supreme Court Rule 99.01(4)(e), Construction of Supreme Court Rules.

FILED

OCT 16, 2012

Diane M. Fremgen
Clerk of Supreme Court
Madison, WI

The court, on the motion of Chief Justice Shirley S. Abrahamson, amends Supreme Court Rule (SCR) 99.01(4)(e) to correct a statutory reference contained in the rule provision.

By order dated December 11, 1979, the supreme court adopted a petition filed by the Judicial Council pursuant to which it created SCR Chapter 99, entitled "Construction of Supreme Court Rules." Supreme court rule 99.01(4)(e) addresses the manner in which time is computed under the rules when a deadline falls on a date designated as a legal holiday under the statutes. This rule currently references Wis. Stat. § 757.17, Legal Holiday. Section 757.17 has been renumbered several times. In 1983 § 757.17 was renumbered Wis. Stat. § 895.20. 1983 Wis. Act 192, § 257. In 2005 § 895.20 was renumbered Wis. Stat. § 995.20. 2005 Wis. Act 155, § 33. The legislature has also amended the statute governing legal holidays several times since 1979. The

statutory citation in SCR 99.01(4)(e) should be amended to refer to section 995.20 to reflect the legislative changes.

Therefore,

IT IS ORDERED that effective the date of this order, 99.01(4)(e) of the supreme court rules is amended to read as follows:

99.01 **(4)** (e) "Legal holiday" as used in this rule means any statewide legal holiday provided in section ~~757.17~~ 995.20 of the statutes. When an act is permitted to be done by the use of the postal service, and the last day within the time prescribed by law for performing the act falls on a legal public holiday under federal law, or other holiday designated by the president such that the postal service does not receive certified mail or make regular deliveries on that day, the day shall be considered a legal holiday for purposes of this rule.

IT IS FURTHER ORDERED that notice of this amendment of the supreme court rules be given by a single publication of a copy of this order in the official publications designated in SCR 80.01, including the official publishers' online databases, by the state bar of Wisconsin, and on the Wisconsin court system's web site.

Dated at Madison, Wisconsin, this 16th day of October, 2012.

BY THE COURT:

Diane M. Fremgen
Clerk of Supreme Court

