
**In re Matter of the Procedures Governing
Rule Making Process****AMENDMENT TO
PETITION
12-01**

This amendment to Rule Petition 12-01 comes before the Wisconsin Supreme Court upon the petition of Chief Justice Shirley S. Abrahamson of the Wisconsin Supreme Court. The amendment is proposed in light of the court's adoption of the concept of a calendar cycle for rules petitions.

The amendment to the petition incorporates in full, as if reprinted here, the document, Rule Petition 12-01, filed by the Rules Advisory Committee in May 2011, and adds Rule 1.18 as follows.

Rule 1.18. Calendar Cycle.

(1) The rule making process adopts a calendar cycle encompassing the following: Rule Petition filing; Court website posting; Chief Justice screening; Public Comment period; Petitioner's Response period; Court Administrative hearing; Public hearing if ordered by the court; and Court decision.

(2) The goals of the calendar cycle are to give each petitioner and the public an opportunity to be heard; to conduct rulemaking in an open, fair, timely, efficient manner with all final decisions on pending rule petitions made, if at all possible, on or before June 30; and to schedule matters relating to rule petitions to fit with the court's schedule for hearing cases and mandating opinions by June 30 in cases heard between September and June. The supreme court may alter the time periods shown below to fit its schedule and to fit the particular petition.

(3) The calendar cycle is as follows:

(a) Court Calendar Scheduled

In June the supreme court formulates its calendar for July 1 to August 31.
The court designates 1 or 2 days each month (Sept. – June) for rules conferences.

(b) Petitioner Files Petition

Petitions numbered in sequence starting in January of each year.¹

(c) Posting of Petition on Website

Immediately on filing of petition²

(d) Petition Sent to Legislative Reference Bureau for Drafting Comments

Immediately on filing of petition³

(e) Screening by Chief Justice

Within 3 days of filing of petition⁴

(f) Staff Summary Memo for Chief Justice

Within 7 days after filing of petition⁵

(g) Staff Memo for Court

Within 21 days after filing of petition.⁶

(h) Preliminary Review by Court

First Rules Conference after Commissioner memo circulated.⁷

At the preliminary review the Court may seek comments, schedule public hearing, reach decision, or take other action.

(i) If Court Seeks Comments on Petition

A. Comment period set by Court⁸

B. Staff memo for Court

Within 20 days of close of public comment⁹

C. Court reviews comments at open conference

First Rules Conference after Commissioner memo circulated¹⁰

D. Court may reach decision at open conference, or thereafter, if necessary¹¹

(j) If Court Schedules Public Hearing

A. Public hearing scheduled by Court¹²

B. Comment period set by Court¹³

C. Court may reach decision at open conference following public hearing, or thereafter, if necessary¹⁴

(k) Court Decision

All final decisions on pending rule petitions made, if at all possible, on or before June 30.

Respectfully submitted this ____ day of June, 2013.

Shirley S. Abrahamson
Chief Justice
Wisconsin Supreme Court

¹ A rule petition shall be designated by the year in which the rule petition is filed, with sequential numbers designating the chronology of filings. For example, if the first rule petition in the year is filed on January 2, 2013, it shall be designated "13-01" and the second rule petition in that cycle shall be designated "13-02." This numbering system corresponds with the numbering of rules petitions in the past and with the numbering of appeals in the court of appeals and supreme court.

² See Rule 1.06(3).

³ See Rule 1.06(2).

⁴ See Rule 1.07(2).

⁵ See Rule 1.07(1).

⁶ *See* Rule 1.08(1).

⁷ *See* Rule 1.08(2)-(4).

⁸ *See* Rules 1.08(4)(c), 1.09(3).

⁹ *See* Rule 1.12.

¹⁰ *See* Rules 1.09(3), 1.14(2).

¹¹ *See* Rule 1.14(2).

¹² *See* Rules 1.08(4)(d), 1.09. Public hearings on new petitions are not held after May 1 of the court term.

¹³ *See* Rule 1.09(2)(c).

¹⁴ *See* Rule 1.14(1).