

**In the Matter of the Petition to
Amend Supreme Court Rules
(SCR) 60.05(8)(b) and SCR 60.07(2)****PETITION
18-____**

Diane M. Fremgen, in her capacity as Deputy Director for Court Operations, proposes the following amendments to Supreme Court Rules (SCR) 60.05(8) and 60.07(2).

SECTION 1. SCR 60.05(8)(b) is amended to read as follows:

SCR 60.05(8)(b) Financial reports. Except as provided in SCR 60.07, a judge shall file with the ethics board a timely financial report as required by section 19.43 of the statutes. ~~The report shall also be filed by commissioners of the supreme court, staff attorneys of the court of appeals, and the director of state courts.~~

SECTION 2. The Comment to SCR 60.05(08) is amended to read as follows:

The chapter does not prohibit a judge from accepting honoraria or speaking fees provided that the compensation is reasonable and commensurate with the task performed. A judge should ensure, however, that no conflicts are created by the arrangement. A judge must not appear to trade on the judicial position for personal advantage. Nor should a judge spend significant time away from court duties to meet speaking or writing commitments for compensation. In addition, the source of the payment must not raise any question of undue influence or the judge's ability or willingness to be impartial.

See SCR 60.05 (4) (e) and sec. 19.56, Stats., regarding reporting of gifts and loans.

As provided in SCR 60.07(2), sub. (8) does not apply to a judge serving on a part-time basis. ~~Sub. (8) does not apply to a supplemental court commissioner authorized under SCR 75.02(3) who has performed fewer than 40 hours of circuit court commissioner duties in the preceding calendar year.~~

SECTION 3. SCR 60.07(2) is amended to read as follows.

SCR 60.07(2) Part-time Judicial Service. A judge who serves on a part-time basis, including a reserve judge, a part-time municipal judge or a part-time court commissioner, is not required to comply with the following: SCR 60.05 (3) (a), (b) and (c) 1.b., 2.a, and c., (4) (a) 1.b., 2.(b) (c), (d) and (e), (5), (6), (7),₂ and (8). ~~All circuit court commissioners appointed under SCR 75.02 (1) and those supplemental court commissioners authorized under SCR 75.02 (3)~~

~~who have performed 40 hours or more of circuit court commissioner duties during the preceding calendar year shall comply with SCR 60.05 (8).~~

A memorandum setting forth the reasons for this petition is attached.

Respectfully submitted this ____ day of _____, 2018.

Diane M. Fremgen
Deputy Director of Court Operations
Director of State Courts Office
110 E. Main St., Ste. 410
Madison, WI 53703