



Judge Juan B. Colás
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February 19, 2020

Ms. Sheila Reiff
Clerk of the Supreme Court
110 E Main St Ste 215
Box 1688
Madison, WI 53701

Re: Comment on Rule Petition 19-22

Dear Clerk:

I am writing to comment on Rule Petition 19-22, pertaining to judicial education. I urge the Court to reject Section 6 of the petition which would amend SCR 32.07 to give chief judges 3 judicial education credits for each 12 month period that they serve as a chief judge. It is unnecessary and erodes the judicial education requirement.

The Supporting Memorandum at page 5 notes that "a chief judge necessarily seeks out additional educational opportunities and conducts extensive personal legal research on the wide variety of legal issues being considered within his or her district." This rationale for credit would equally apply to all circuit court judges. We who are not chief judges also "seek out additional educational opportunities" and "conduct extensive personal legal research on a the wide variety of legal issues" that arise in our courts. The latter is particularly true for judges who are presiding judges in their counties or are rotating into a new area of law or who are in counties or assignments in which they handle a wide range of case types.

The real justification for the change is also found in the Supporting Memorandum at page 5: "The Committee believes that this proposal is an appropriate acknowledgment of the substantial amount of time and effort chief judges expend in their administrative duties." The real reason for the proposal is workload relief.

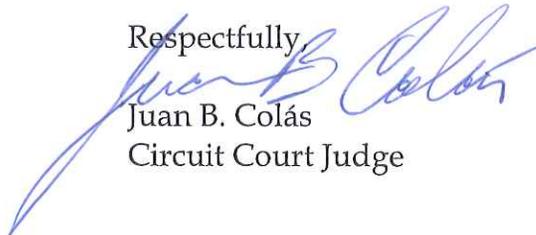
It is unnecessary for that purpose because a rule already exists for that. The duties of a

chief judge are many, often onerous and consume time and energy. I do not begrudge relief to those willing to take on the role. But SCR 70.19(5) already provides for such relief. Each chief judge, subject to the approval of the director of state courts, may "adjust his or her caseload to reflect the amount of time needed for administrative duties." District Five's chief judge currently has 25% caseload relief, a traditional figure in our district. If our chief judge felt he needed a higher percentage of relief that would be fine with me. I imagine the percentage may vary from district to district according to the need in each district and each chief judge's judgment. In addition to caseload relief I understand that reserve judge relief is also available to help chief judges fulfill their responsibilities.

Chief judges are also circuit court judges. While serving as chief judges they continue hearing cases (I believe District 1 is the sole exception). When they complete their service they will return to full caseloads, unless they retire. They have the same need for continuing judicial education as other judges. Giving judicial education credits for "administrative duties" distorts the integrity of the judicial education requirement. Administrative duties are simply not the equivalent of judicial education.

I support workload relief for chief judges, but it should be through the mechanisms of the existing caseload relief rule and reserve judge allowances. Thank you for your attention to this comment.

Respectfully



Juan B. Colás

Circuit Court Judge

JBC:jc

Copy: Chief Judges

Petitioner Chief Judge Jason Rossell