



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 02-110

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. The introductory clause to the rule should end with a relating clause such as “relating to provisional appointment of private attorneys seeking certification for appellate appointments.” [See s. 1.02 (1), Manual.]

b. The rule-making order would be more concisely presented if it were divided into two SECTIONS. The first SECTION would create s. PD 1.04 (5) (bc), and the last SECTION would amend s. PD 1.04 (5) (d) 3. and (e) 3. Current rules that are unaffected should not be shown.

c. The paragraph title to par. (bc) should be italicized.

d. The rule-making order should include an effective date clause at the end.

e. In s. PD 1.04 (5) (bc) (intro.), the introductory paragraph either should introduce the subsequent subdivisions by ending in a colon and leading into the subdivisions or should be numbered subd. 1.

4. Adequacy of References to Related Statutes, Rules and Forms

In s. PD 1.04 (5) (d) 3. and (e) 3., should the citation be to par. (c) 2.? It does not appear that all of par. (c) is relevant to the education requirement.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. PD 1.04 (5) (bc) (intro.) and 2., it appears that the information could be condensed into one subdivision. For example, the subdivisions could be redrafted to read, “The appellate division director, or his or her designee, shall provisionally certify attorneys who are granted appellate certifications after January 1, 2003.”

b. In s. PD 1.04 (5) (bc) 1., it appears that this information should be placed in s. PD 1.06 relating to decertification, unless this action would occur prior to initiating a decertification action. This should be clarified.

c. Section PD 1.04 (5) (bc) 3. and 4. could be combined. In addition, in subd. 4., “but not limited to” should be deleted.

d. In s. PD 1.04 (5) (bc) 5., “to be” should be deleted. Also, “on year” should be replaced with “one year.”

e. In s. PD 1.04 (5) (bc) 6., should “paragraph” replace “subsection”?