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CHAPTER 299

AN ACT to amend 8.02 (2), 17.21 (2) (a), 17.23 (1) (c) and (2) (b), 17.27 (3), 48.013 (6), 253.02 and 254.31 of the statutes, relating to terms of judges of municipal and inferior courts appointed or elected to fill vacancies.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 8.02 (2) of the statutes is amended to read:

8.02 (2) * * * If * * * a vacancy occurs 90 days or more before the first Tuesday in April, in the case of a judge, * * * the election to fill the vacancy shall be held on the first Tuesday of the succeeding April, and in case of a justice, at the first judicial election when no other justice is to be elected. In either case, if the vacancy occurs less than 90 days prior to the first Tuesday of April, the election to fill the vacancy shall not be held until the judicial election of the next year.

SECTION 2. 17.21 (2) (a) of the statutes is amended to read:

17.21 (2) (a) In the office of county judge, or judge of a municipal, superior, district, civil or other special court created under the general law or by special act and with jurisdiction throughout the county, by temporary appointment by the governor, which shall continue until a successor is elected, as provided in s. 8.02, and qualifies. * * * When so elected the successor shall hold office for a full term and shall take office at the time of year specified for the beginning of term for the respective office.

SECTION 3. 17.23 (1) (c) and (2) (b) of the statutes are amended to read:

17.23 (1) (c) In the office of the judge of a municipal court created by special act, with jurisdiction throughout the city only, by appointment by the governor. A person so appointed shall hold office for the term provided in s. 17.21 (2) and his successor shall be elected for * * * a full term as provided in said subsection.

(2) (b) In the office of the judge of a municipal court created by special act, with jurisdiction throughout the city only, by appointment by the governor for the term prescribed by sub. (1) (c) and the successor to such appointee shall be elected for * * * a full term as provided in said paragraph.

SECTION 4. 17.27 (3) of the statutes is amended to read:

17.27 (3) Vacancies in the office of the judge of any special municipal or other special court created by special act with jurisdiction throughout an area comprising less than a county, but more than a city, village or town shall be filled by appointment by the governor. A person so appointed shall hold office for the term provided in s. 17.21 (2) and his successor shall be elected for * * * a full term, as provided in said subsection.

SECTION 5. 48.013 (6) of the statutes is amended to read:

48.013 (6) * * * There shall be elected, in the same manner as circuit judges of such county are elected, a judge for said court. No person shall be eligible to the office of * * * judge unless for 5 years immediately prior to January 1 of the year of * * * election he shall have been both a resident of * * * the county and an attorney licensed

to practice in the circuit courts of * * * *this state*. * * * *The judge* * * * shall *not* practice law while holding * * * office nor * * * be a candidate for election to any other office * * *. * * * *The judge* shall hold his office for 6 years from the first Monday of June next following his election and until his successor is elected and qualified. * * * *The judge* may be removed from office in the manner provided for the removal of circuit judges, the resignation of * * * *the judge* shall be made to the governor, and vacancies * * * shall be filled as vacancies in the office of circuit judge are filled. * * * *The judge* shall be paid an annual salary of \$12,000 to be paid in instalments by the county in the same manner as the salaries of constitutional county officers of * * * *the county* are paid, which salary shall not be lowered during his term of office. * * * *The judge* shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed in the constitution for judicial office, which oath shall be filed in the office of the clerk of the circuit court of * * * *the county*.

SECTION 6. 253.02 of the statutes is amended to read:

253.02 * * * The term of office of *every elected* county judge shall be 6 years, * * * *and until his successor is elected and qualified, which term commences* on the first Monday in January after election. No person shall be eligible to the office of county judge who is not, at the time of his election or appointment, an attorney of a court of record. Commencing January 1, 1954, no person 70 years of age or over shall be eligible to take office as county judge in counties under 500,000 population.

SECTION 7. 254.31 of the statutes is amended to read:

254.31 There shall be elected, in the same manner as county judges are elected, a judge for each small claims court. No person shall be eligible to the office of judge * * * except an attorney of a court of record and * * * *the judge* shall hold no other county office * * *. He shall hold his office for a term of 6 years from the first Monday of July next following his election and until his successor is elected and qualified. Such judge shall receive such salary as the county board determines. He shall not be entitled to any fees paid into such court. * * *

Approved June 22, 1955.
