

## CHAPTER 758

## JUDICIAL BRANCH AGENCIES AND COMMITTEES

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**758.01 State law library.** The supreme court shall maintain a state law library for the use of officers and employes of this state, attorneys and the public. The supreme court may promulgate and enforce rules governing the use of the library and appoint and fix the compensation of a librarian and such staff as is necessary to operate the library.

**History:** 1971 c. 152 ss. 7, 40; 1971 c. 254 ss. 1, 18; 1977 c. 29; 1977 c. 187 s. 97

**758.13 Judicial council. (1) MEMBERSHIP; APPOINTMENT; TERMS.** There is created a judicial council of 19 members as follows: a supreme court justice designated by the supreme court; a court of appeals judge designated by the court of appeals; the administrative director of courts or his or her designee; 4 circuit judges designated by the judicial conference; the chairpersons of the senate and the assembly committees dealing with judicial affairs or a member of each such committee designated by the respective chairperson; the attorney general or his or her designee; the revisor of statutes or an assistant designated by the revisor; the deans of the law schools of the university of Wisconsin and Marquette university or a member of the respective law school faculties designated by the deans; the president-elect of the state bar of Wisconsin or a member of the board of governors of the state bar designated by the president-elect and 3 additional members thereof selected by the state bar to serve 3-year terms; and 2 citizens at large appointed by the governor to serve 3-year terms. The names of the members shall be certified to the secretary of state by the executive secretary. Members shall hold office until their successors have been selected. Members shall receive no compensation, but shall be reimbursed from the appropriation made by s. 20.645 (1) for expenses necessarily incurred by them in attending council meetings.

**(2) POWERS AND DUTIES.** The council shall:

(a) Observe and study the rules of pleading, practice and procedure, and advise the supreme court as to changes which will, in the council's judgment, simplify procedure and promote a

speedy determination of litigation upon its merits.

(b) Survey and study the organization, jurisdiction and methods of administration and operation of all the courts of this state.

(d) Receive, consider and in its discretion investigate suggestions from any source pertaining to the administration of justice and to make recommendations.

(e) Keep advised concerning the decisions of the courts relating to the procedure and practice therein and concerning pending legislation affecting the organization, jurisdiction, operation, procedure and practice of the courts.

(f) Recommend to the legislature any changes in the organization, jurisdiction, operation and methods of conducting the business of the courts, including statutes governing pleading, practice, procedure and related matters, which can be put into effect only by legislative action.

**(3) ORGANIZATION.** (a) The council shall elect a chairperson and vice chairperson.

(b) The council may promulgate and modify rules for the conduct of its proceedings in the exercise of its powers. The council may meet at such time and place as it determines but at least once every 3 months. It shall meet upon call of the chairperson or a call signed by 5 members of the council. Nine members shall constitute a quorum.

(c) The council may appoint regular and special committees of its members to investigate and report upon any matters relating to its duties. The council or any committee thereof when so authorized by the council is empowered to hold public hearings at such times and places within the state as may be determined. Any member of the council or any committee thereof shall have the power to administer oaths to persons testifying before the council or committee. By subpoena issued over the signature of its chairperson or acting chairperson and served in the manner in which circuit court subpoenas are served, the council or any committee when authorized by the council, may summon and compel the attendance of witnesses. If any witnesses

subpoenaed to appear before the council or committee thereof refuse to appear or answer inquiries propounded, the council or committee shall report the facts to the circuit court of Dane county and the court shall compel obedience to the subpoena.

(d) The council may determine the qualifications of, and appoint outside the classified service, an executive secretary and such technical and clerical help as it deems necessary. The council shall be provided with adequate office space in the state capitol.

(e) The council may call upon any department of the state or any county or municipality thereof or any court for such facilities and data as may be available, and such departments, counties, municipalities and courts shall cooperate with the council to the fullest extent.

(f) The council may make such reports as it deems proper or as are requested by the legislature or the supreme court. The council may publish such reports as it considers necessary.

**History:** 1971 c. 254 s. 6; 1975 c. 39, 199; 1977 c. 187 s. 97; 1977 c. 325, 449.

#### **758.15 Administrative committee of the courts.**

(1) The chief justice of the supreme court, or such other justice as the supreme court may designate; one judge of the court of appeals selected by the court of appeals; 13 circuit judges, with one judge elected by the judges of each of judicial administrative districts 2 to 4 and 6 to 10, with 2 judges elected by the judges of judicial administrative district 5 and 3 judges elected by the judges of judicial administrative district 1; 2 persons selected by the board of governors of the state bar; and 3 nonlawyers selected by the chief justice, one of whom shall be an elected county official, shall constitute the administrative committee of the courts. The chief justice or, if applicable, the justice designated by the supreme court shall serve as chairperson.

(2) The administrative committee shall meet at the call of its chairperson, but at least quarterly, to review the administration and methods of operations of all the courts of the state, the volume and condition of business in those courts and to advise the supreme court regarding the expeditious handling of judicial matters in the future.

**History:** 1971 c. 254 s. 7; 1977 c. 187 s. 97; 1977 c. 449.

#### **758.17 Judicial conference of Wisconsin.**

(1) There is constituted the judicial conference of Wisconsin, which consists of the justices of the supreme court, the judges of the court of appeals and the judges of the circuit courts. In this section, "conference" means the judicial conference of Wisconsin.

(2) The conference shall meet once each year in regular session at a place and time to be designated by the administrative committee of the courts, subject to the approval or direction of the supreme court. The administrative committee, with the approval of the supreme court, may call any special meeting of the conference.

(3) The administrative committee together with the court administrator shall plan and conduct the annual and any special meeting of the conference under the direction of the supreme court. The chief justice shall preside at all annual and special meetings of the conference, or, in his or her absence, the senior associate justice present shall preside, unless the approved agenda otherwise provides.

(4) The administrative committee may appoint other committees to plan for the annual meeting or special meeting of the conference and its agenda. The agenda for each annual meeting shall be submitted for approval to the supreme court by the administrative committee at least 60 days prior to the annual meeting. The judicial conference may divide into functional sections and create subcommittees to study identified topics.

(5) The functions of the conference shall be:

(a) To consider the business and the problems appertaining to the administration of justice in this state, and to make recommendations for its improvement.

(b) To conduct instructive programs and seminars at its annual meeting in order to better equip the members of the conference in the performance of their judicial duties.

(c) To provide for the creation of committees to study particular subjects appertaining to the administration of justice and its improvement and report the results of their study together with their recommendations to the next meeting of the conference. The membership of each such committee shall be appointed by the administrative committee.

(d) To adopt uniform forms necessary for the administration of proceedings under chs. 851 to 882. Duly authenticated copies of these forms shall be furnished to the secretary of state and kept on file in his or her office. The secretary of state shall transmit copies of these forms to all registers in probate.

(e) To adopt uniform forms necessary for the administration of juvenile matters under ch. 48. Duly authorized copies of these forms shall be furnished to the secretary of state and kept on file in his or her office. The secretary of state shall transmit copies of these forms to the clerks of circuit court.

(6) The supreme court shall from time to time make such other and further provisions

with respect to the conference as it shall deem necessary and proper.

History: 1971 c. 254 ss. 8, 19; 1977 c. 187 ss. 97, 135; 1977 c. 449.

**758.19 Court administrator. (1) DEFINITION.** In this section, unless the context requires otherwise, "court" means any tribunal recognized as part of the judicial branch of the government.

**(2) ADMINISTRATIVE DIRECTOR.** The office of administrator of courts is created with an administrative director, who shall be the head thereof and who shall assist the chief justice of the supreme court or other designated justice in the performance of duties under s. 751.03, collect such statistics as the supreme court requires, administer patients compensation panels under ch. 655 and perform such other duties as the supreme court directs.

**(3) APPOINTMENT, TERM AND SALARY.** The administrative director shall be appointed by the supreme court for an indefinite term. The appointment shall be approved by a majority of the justices upon recommendation of the appointee by the chief justice. The term shall end when termination is approved by a majority of the justices. The administrative director shall devote full time to official duties to the exclusion of engagement in any other business or profession for profit. The salary shall be fixed by the supreme court in accordance with s. 20.923 (4) (f) 7. The administrative director shall be included within the Wisconsin retirement fund and subch. I of ch. 41 applies to the administrative director in the same manner as it applies to justices of the supreme court.

**(4) ASSISTANTS.** The supreme court shall appoint and fix the compensation of an assistant to the administrative director if the assistant is deemed necessary to enable the administrative director to perform his or her duties.

**(5) COMPLIANCE WITH REQUESTS.** All judges, municipal judges, clerks of court, registers in probate and other officers or employes of the courts shall comply with all requests made by the administrative director for information and statistical data relative to the work of the courts and of such offices.

**(6) QUARTERS.** The office of the administrator of courts shall be in the state capitol as convenient to the supreme court as may be.

**(7) GOVERNING BODY FOR COURTS.** The administrative director shall act as the governing body under s. 41.02 (29) for the supreme court, for the court of appeals and for circuit court judges and reporters.

**(8) SALARY CERTIFICATIONS.** The administrative director may require each judge to verify and certify vouchers for salaries and expenses of himself or herself, his or her reporter and any assistant reporters and, in certifying the salaries and expenses to the department of administration, may rely on the certifications received from the several judges.

History: 1971 c. 254 s. 14; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449.

**758.25 State bar of Wisconsin. (1)** There shall be an association to be known as the "State Bar of Wisconsin" composed of persons licensed to practice law in this state, and membership in such association shall be a condition precedent to the right to practice law in Wisconsin.

**(2)** The supreme court by appropriate orders shall provide for the organization and government of the association and shall define the rights, obligations and conditions of membership therein, to the end that such association shall promote the public interest by maintaining high standards of conduct in the legal profession and by aiding in the efficient administration of justice.

History: 1971 c. 254 s. 12; 1977 c. 187 s. 97.