

BUSINESS LAW SECTION

January 10, 2017

(U.S. Mail and E-Mail to clerk@wicourts.gov and carrie.janto@wicourts.gov)

Clerk of Supreme Court
Wisconsin Supreme Court
Attn: Carrie Janto – Rules
100 East Main Street, Suite 215
Madison, WI 53703

Dear Clerk and Ms. Janto:

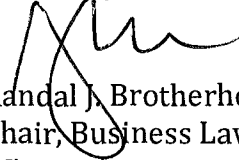
We submit herewith an original and nine (9) copies of the enclosed letter from the Business Law Section of the State Bar of Wisconsin setting forth comments to the Business Court Advisory Committee petition filed with the Wisconsin Supreme Court on October 26, 2016 entitled “In Re Creation of a Pilot Project for Dedicated Trial Court Judicial Dockets for Large Claim Business and Commercial Cases.”

Please file-stamp the enclosed copy of this letter and return the file-stamped copy to the undersigned in the enclosed self-addressed, postage-prepaid envelope to provide us with evidence of such filing.

Please direct any questions regarding this matter to the attention of the undersigned.

Thank you for your prompt attention to this matter.

Very truly yours,



Randal J. Brotherhood
Chair, Business Law Section of the State Bar of
Wisconsin



STATE BAR OF WISCONSIN

BUSINESS LAW SECTION

January 10, 2017

(Via Certified Mail, Return Receipt Requested and E-Mail to clerk@wicourts.gov and carrie.janto@wicourts.gov)

Clerk of Supreme Court
Wisconsin Supreme Court
Attn: Carrie Janto – Rules
100 East Main Street, Suite 215
Madison, WI 53703

RE: Comment Letter in Support of Petition entitled “Creation of a Pilot Project for a Dedicated Trial Court Judicial Dockets for Large Claim Business and Commercial Cases”

Dear Clerk and Ms. Janto:

The Business Law Section for the State Bar of Wisconsin wishes to submit to the Wisconsin Supreme Court (the “Court”) this letter of support in regard to creation of a pilot program for a dedicated trial court judicial docket for large business and commercial cases in the state of Wisconsin (the “Pilot Program”).

The Business Court Advisory Committee which Chief Justice Patience Drake Roggensack convened last fall to explore this initiative has been in regular contact with the Business Law Section since the Business Court Advisory Committee began its work on this project. The Business Court Advisory Committee allowed a member of the Business Law Board to participate in the deliberations conducted to structure the Pilot Program for the Commercial Court Docket and sought the Business Law Section’s input on the framework, rules and objectives of this Pilot Program.

The Business Law Section has carefully reviewed the Petition (the “Petition”) which the Business Court Advisory Committee filed with the Court on October 26, 2016 which requests that the Court adopt a rule to establish the Pilot Program for the Commercial Court Docket in Waukesha County and in the Eighth Judicial District.

The Business Law Section supports the Petition (and this initiative in general) for the following primary reasons:

1. A dedicated business court docket will enhance the consistency, predictability, and accuracy of decisions in complicated business cases;
2. A dedicated business court docket will enhance efficiency for commercial disputes through proactive case management, swift resolutions and early alternate dispute resolution;



STATE BAR OF WISCONSIN

January 10, 2017

Page Two

3. A dedicated business court docket will attract and retain businesses in Wisconsin and provide for a more desirable forum for resolving business disputes;
4. A dedicated business court docket will make repeated disputes less likely to occur due to guidance provided by ongoing commercial court decisions; and
5. A dedicated business court docket will make Wisconsin a “go to” state for early stage businesses and venture capital investors who strongly prefer to conduct business in a jurisdiction capable of resolving complicated business disputes.

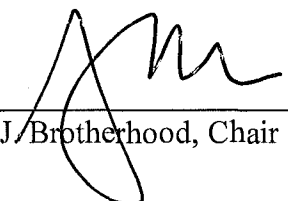
The Business Law Section desires that Wisconsin join the 26 other states which have created specialized dockets for business and commercial cases and have generally found business court dockets to advance the efficiency and consistency of complicated commercial disputes. Establishment of the Pilot Program will be consistent with Wisconsin’s progressive spirit of exploring new programs and avenues to solve complicated problems.

The Business Law Section believes that the manner in which the Pilot Program will be implemented gives the Program an effective forum and timeline for evaluation and improvement by the judicial system in Wisconsin, other practitioners and the business community in Wisconsin.

Thank you in advance for the Court’s consideration of the Business Law Section’s strong support of the Pilot Program for the creation of a commercial court docket in Waukesha County and the Eighth Judicial District.

Very truly yours,

BUSINESS LAW SECTION OF THE STATE BAR OF WISCONSIN

By: 

Randal J. Brotherhood, Chair

#2495621