
**In re amendment of
Wis. Stat. §§ 753.24, 753.26,
757.12, 757.14, and 757.70
relating to the location of court.**

**PETITION
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For the reasons set forth in the accompanying supporting memorandum, the Director of State Courts respectfully petitions the court to amend Wis. Stat. §§ 753.24, 753.26, 757.12, 757.14, and 757.70, regarding the location of court. This petition is made pursuant to the court's rulemaking authority under Wis. Stat. § 751.12 and its administrative authority over all courts conferred by Article VII, § 3 of the Wisconsin Constitution.

TEXT OF PROPOSED CHANGES

SECTION 1. 753.24 (2m) of the statutes is created to read:

753.24 (2m) Court may be held with the judge and any participants appearing from a remote location using telephone or videoconferencing technology subject to ss. 885.50 to 885.64 and constitutional requirements.

SECTION 2. Section 753.26 of the statutes is repealed:

~~753.26 Office and records to be kept at county seat. Except in branches Nos. 4, 5, and 7 of the circuit court for Rock County, every circuit judge in this state shall maintain in his or her office, at the county seat of the county in which the judge holds office, all of the books, papers, and records of the court. The office and the books, papers, and records of the circuit judge shall at all reasonable times be open to access and inspection by any person having any business with the books, papers, and records of the court, except as otherwise provided by law. Originals of judgments or orders made under circuit court jurisdiction of branches Nos. 4, 5, and 7 of the Rock County circuit court in Beloit, shall be kept at the county seat.~~

SECTION 3. Section 757.12 of the statutes is amended to read:

757.12 ~~Adjournment to another place~~ location. Whenever it is deemed unsafe or inexpedient, by reason of war, pestilence, public calamity, or other compelling factors limiting or preventing access to the courthouse, to hold any court at the time and place appointed therefor the justices or judges of the court may ~~appoint any other place within the same county and any other time for holding court.~~ order court to be held at an alternative location in Wisconsin, including in another county, on a temporary basis. Every such order shall be made in writing. Notice of such orders shall be provided by email to the Chief Justice, the Chief Judge of the judicial district, the Director of State Courts, the State Bar of Wisconsin, and the local bar association. Any such orders shall be placed on the Wisconsin State Courts website, the county website, and the door of the courthouse, if practicable. All court proceedings moved to another location shall have the same force and effect as if held at the original location. Bench warrants shall not be issued for failure to appear without a finding that the party received notice of the date, time and location of the proceeding. All proceedings in the court may be continued at adjourned times and places and be of the same force and effect as if the court had continued its sessions at the place it was held before the adjournment. Every such appointment shall be made by an order in writing, signed by the justices or judges making the appointment, and shall be published as a class 1 notice, under ch. 985, or in such other manner as is required in the order.

SECTION 4. Section 757.14 of the statutes is amended to read:

757.14 Sittings, public. The sittings of every court shall be public and every citizen may freely attend the same, including proceedings held by telephone or videoconferencing technology, except if otherwise expressly provided by law on the examination of persons charged with crime; provided, that when in any court a cause of a scandalous or obscene nature is on trial. If the content

of the proceeding is deemed graphic or obscene, the presiding judge or justice may exclude from the courtroom where the court is sitting all minors not necessarily present as parties or witnesses. The court may utilize electronic means to allow the public the ability to hear and see, in real time, all proceedings in a manner as similar as practicable to being present in the courtroom.

SECTION 5. Section 757.70 (2) of the statutes is amended to read:

757.70 (2) All hearings before a circuit or supplemental court commissioner shall be held ~~in the county courthouse or other court facilities provided by law~~ accordance with s. 753.24. This provision does not apply to nontestimonial proceedings, supplementary hearings on the present financial status of a debtor under s. 757.675 (2) (h) or depositions taken before a circuit or supplemental court commissioner.