

*Honorable Martha J. Milanowski*  
Circuit Court Judge, Branch 1



*Honorable Daniel L. Overbey*  
Circuit Court Judge, Branch 2

*Patricia Kane*  
Court Reporter  
(715) 479-3641

*Kim McCallum*  
Judicial Assistant  
(715) 479-3638

*Beth A. Soltow*  
Clerk of Circuit Court  
(715) 479-3632

**VILAS COUNTY CIRCUIT COURT**  
330 Court Street  
Eagle River, WI 54521

*Ellyn Tatro*  
Judicial Assistant  
(715) 479-3732

*Dawn Halverson*  
Register in Probate  
(715) 479-3642

August 27, 2025

Vilas County Circuit Court – Local Rules  
(Ninth Judicial District)

- Rule 1: Service of Process in Small Claims Actions
- Rule 2: De Novo Hearing for Family Matters
- Rule 3: Judicial Transfers
- Rule 4: When the Record is Silent – Clerk's Authority
- Rule 5: Court Appointed Attorneys
- Rule 6: Motion Practice
- Rule 7 Procedure for Filing Exhibits
- Rule 8: OWI-1 Defaults
- Rule 9: Juvenile Policy and Procedure

Presiding Judge Martha J. Milanowski and Judge Daniel L. Overbey have reviewed Vilas County Circuit Court's Local Court Rules. Addition of Local Court Rule 9: Juvenile Policy and Procedure.

A handwritten signature in black ink, appearing to be 'M. Milanowski', written over a horizontal line.

Honorable Martha J. Milanowski  
Circuit Court Judge, Branch I  
October 24, 2025

A handwritten signature in black ink, appearing to be 'D. Overbey', written over a horizontal line.

Honorable Daniel L. Overbey  
Circuit Court Judge, Branch II  
October 24, 2025

A handwritten signature in black ink, appearing to be 'Ann Knox-Bauer', written over a horizontal line.

Honorable Ann Knox-Bauer  
Chief Judge, Ninth Judicial District  
*Oct 24*, 2025

**Honorable Martha J. Milanowski**  
Circuit Court Judge, Branch 1

**Patricia Kane**  
Court Reporter  
(715) 479-3641

**Kim McCallum**  
Judicial Assistant  
(715) 479-3638

**Beth A. Soltow**  
Clerk of Circuit Court  
(715) 479-3632



**VILAS COUNTY CIRCUIT COURT**  
330 Court Street  
Eagle River, WI 54521

**Honorable Daniel L. Overbey**  
Circuit Court Judge, Branch 2

**Statewide Pool**  
Court Reporter

**Ellyn Tatro**  
Judicial Assistant  
(715) 479-3732

**Dawn Halverson**  
Register in Probate  
(715) 479-3642

## Vilas County Local Court Rules (Ninth Judicial District)

### Standing orders of the Court

#### Rule 1: Service of Process in Small Claims Actions:

Effective Date: February 26, 2014  
Reviewed and approved on August 1, 2022  
Revised: February 29, 2024

1. Service of summons in small claims actions, except actions for eviction or replevin, shall be by personal or substitute service.
2. Service of eviction actions shall be by personal service.
3. Service in replevin actions may be by certified mail, return receipt requested, or by personal service.
4. Service in contempt proceedings authorized by Sec.799.26(2), Wisconsin Statute, shall be by personal service at least 72 hours prior to hearing.

#### Rule 2: De Novo Hearing for Family Matters

Effective Date: February 26, 2014; Reviewed and Approved on August 1, 2022.  
Amended: March 13, 2023.

1. If a party seeks to have the assigned Circuit Court Judge conduct a hearing de novo under ss. 757.69(8) of a determination, order, or ruling entered by the Family Court Commissioner in an action affecting the family, a written motion requesting the hearing de novo shall be filed with the Court within 20 days of the oral determination, order, or ruling of the Court Commissioner or within 20 days of mailing of the Order, decision or ruling if not given orally at the time of hearing.

2. The requesting party must have been present at the original hearing to request a De Novo review. Stipulated matters or issues are not subject to De Novo review

### Rule 3: Judicial Transfers

Effective Date: August 1, 2022.

Amended: March 13, 2023.

1. If a criminal case is filed and there are TR or FO cases that arise from the same incident, the cases shall be transferred to the same branch as the criminal case.
2. If a criminal case is file and either (a) contains bail jumping charges that arise as a result of an open criminal matter or (b) the defendant has multiple cases in another branch, the matters shall be intra-circuited transferred so that all cases are before the same court official.
3. If a defendant in a criminal, traffic or forfeiture matter appears at the initial appearance before the Judge who is not the filing court official, the case shall be intra-circuit transferred to the branch where the initial appearance was held.
  - a. Clerk will add Judicial Transfer (JUTR) into the court record. This will then change the responsible court official.
  - b. Prepare Notice of Assignment of Judge, and disburse to those on the list via mail or e-filing. Add the following in 'Other': Case transferred per Standing Order guidelines.
4. Juvenile (JV and JC) cases. When there are multiple cases involving children from the same family filed at the same time, the first case will be assigned randomly per the standing rules for case assignment. The subsequent cases relating to children from the same families will then get assigned to the same judge who was assigned the first case.
5. If a criminal case is filed and there is a co-defendant, the second case filed will be judicially transferred to the Judge assigned on the first case.

## Rule 4: When the Record is Silent - Clerk's Authority

Effective Date: August 1, 2022

1. In those cases where the record is silent, any of the following statutorily mandated for the offense for which the defendant has been convicted, the Clerk of Court shall have the authority to do the following:
  - a) Revoke or suspend driving privileges including, if there are range of time, the minimum revocation or suspension.
  - b) Require an alcohol assessment.
  - c) Assess any domestic abuse surcharge, if the judge has made the necessary finding.
  - d) Assess any DNA surcharge or sample if applicable.
  - e) Any Restitution surcharges if applicable.
  - f) Assess all other mandatory costs, fees or surcharges

## Rule 5: Court Appointed Attorneys

Effective Date: August 1, 2022

Revised: May 6, 2024

- a) Rate of pay: Whenever the court appoints an attorney to act in a case, the county shall compensate the attorney at the rate established by the Wisconsin Supreme Court Rule 81.02 whenever the county becomes responsible for the payment.
- b) Compensation Limits: Compensation shall be for time the attorney devotes to the case and not time incurred by paralegals, secretaries or other law firm personnel, unless authorized by the court in advance.
- c) Each billing statement shall specify the case name, ~~and~~ number, the name of the client for which the services were rendered, the date of service(s), and the costs incurred. The billing statement shall be itemized to indicate the type of expense, date(s) the expense was incurred, and the amount requested.
- d) In order for an attorney who has been appointed as a Guardian ad Litem or Court Appointed Attorney to receive payment for their services from Vilas County, they must submit an itemized bill monthly together with the proper *Affidavit and Order for Payment* to the Vilas County Clerk of Circuit Court's Office or the Vilas County Register in Probate's Office

(depending on who appointed them), within 30 days for services rendered the month prior. The Guardian at Litem is responsible for the distribution of the bills to parties.

- f) Allocation of reimbursement: The Judge shall approve the billing before payment; allocate the bill between the parties if appropriate and, whenever the party has ability, order reimbursement by the party together with a payment plan. Failure to comply with billing statement requirements as to content or timeliness may result in the court denying payments to counsel.

## Rule 6: Motion Practice

Effective Date: August 1, 2022

### 1. Attorney's Duty to Give Notice

- a) In all matters, the moving party or their attorney is responsible for providing notice of hearing on any motion filed by that party. Prior to sending out such notice, the party or their attorney shall call the Judicial Assistant for the assigned branch to set an appropriate date and time for hearing.
- b) No attorney or party shall schedule additional motions on a pre-existing motion date for the same case without first advising the court, to determine if sufficient time has been set aside for an additional motion and, if not, to get another date for the motion.

## Rule 7: Procedure for Filing Exhibits

Effective Date: March 13, 2023

Revised: February 29, 2024

- 1. If the attorney is appearing with Court permission by Zoom video technology and wishes to file an exhibit, it must be e-filed with no number/letter (number/letter to be assigned at the time of the hearing when exhibit is introduced) and a copy of the proposed exhibit must be provided to the other party prior to the court proceeding.
- 2. If the attorney is appearing in person and wishes to file an exhibit, the attorney will ask the Clerk to mark the exhibit, and will also provide the other party with a copy of the exhibit.

3. If the attorney is given permission to pre-mark exhibits, the Petitioner/Plaintiff (i.e.: Petitioner/Plaintiff Exhibit #1) will mark numerically, and the Respondent/Defendant will mark alphabetically (i.e.: Respondent/Defendant Exhibit A)

## Rule 8: OWI-1 Defaults

Effective Date: March 13, 2023

1. Defendants are required to appear in court, in person, for an OWI 1<sup>st</sup> offense. Said required appearance is to be noted on the issued citation.
2. When a defendant fails to appear for an OWI-1 intake hearing and is defaulted, he/she will be ordered to pay the amount of forfeiture and costs listed on the face of the citation, will be ordered to complete a Drivers Safety Plan and AODA assessment, and will have a driver's license revocation period of 6 months. In the event that there is a companion PAC ticket for greater than 0.15, the defendant will also be ordered to install an ignition interlock device for 12 months. The accompanying PAC ticket will be dismissed as a matter of law.

## Rule 9-Juvenile Policy and Procedure

Effective Date: October 24, 2025

*Statutory Authority: Wis. Stat. sections 48.06(2)(a) and 938.06(2)(a): "In counties having less than 750,000 population . . . Intake workers shall be governed in their intake work, including their responsibilities for requesting the filing of a petition and entering into an informal disposition/deferred prosecution agreement, by general written policies established by the circuit judges for the county, subject to the approval of the chief judge of the judicial administrative district.*

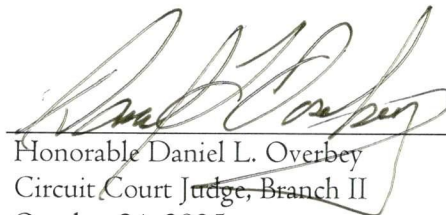
1. Wisconsin Statutes Chapter 48 and 938 are controlling in all juvenile activities.
2. All case processing, documentation, referrals, intake decisions, screening, and case planning shall be done in compliance with Wisconsin Child Welfare Policy and Standards, Division of Safety and Performance, Wisconsin Department of Children and Families. These Standards are incorporated into this local rule by reference.
3. All requests for adjournments must be in writing and received not later than 48 hours prior to the hearing.
4. Court reports shall be e-filed in CCAP 72 hours prior to the disposition hearing.

5. The prosecuting agency (District Attorney's Office for JV cases and Corporation Counsel Office for JIPS and CHIPS cases) shall prepare all juvenile orders within 24 hours of the disposition hearing, not including weekends or holidays.
6. In a delinquency action and in a CHIPS/JIPS action, a plea questionnaire and waiver of rights must be completed prior to the acceptance of any pleas. [Plea Questionnaire/Waiver of Rights (CHIPS/JIPS) JD 17-1735, Waiver of Right to Attorney (Child/Juvenile) JD-1736 , and Plea Questionnaire/Waiver of Rights (Delinquency) JD-1737 are available on the wicourts.gov website.]
7. When necessary, the juvenile clerk will select a guardian ad litem, from a predetermined list, prepare the necessary paperwork, have the judge sign the appointment and the guardian ad litem sign the consent.
8. Juvenile court records are deemed confidential and disclosure is prohibited and governed by statute.
9. Juvenile case records are the responsibility of the juvenile clerk and are not to be removed from that office without written permission of the court.
10. Guardians ad litem in juvenile matters shall be compensated as provided in Wis. Stats. Sec. 48.235(8). Guardians ad litem shall not incur any expenses for hiring or consultation with experts without prior approval of the court. Guardians ad litem must submit a statement within 60 days after completion of their services or the court may, in its discretion, deny payment. The statement for services shall include an itemization of time spent and expenses incurred. The guardian ad litem shall mail copies of the statement to the attorneys of record in the matter or directly to any party who is not represented by counsel.
11. WICWA shall applies to all cases in Chapter 48/938 as further set forth in 2009 Wisconsin Act 94 and the Wisconsin Child Welfare Desk Guide. (see attached)



---

Honorable Martha J. Milanowski  
Circuit Court Judge, Branch I  
October 24, 2025



---

Honorable Daniel L. Overbey  
Circuit Court Judge, Branch II  
October 24, 2025