

BOND CONDITIONS IN  
DOMESTIC ABUSE CASES

ORDER

WHEREAS Wisconsin Act 346 becomes fully effective on April 1, 1989, and this Statute, concerning domestic abuse cases, has some provisions concerning contact prohibition upon arrest, the Circuit Court of Calumet County orders the following in an attempt to provide bond conditions consistent with this Statute, and to continue conditions which have been successfully enforced in the past;

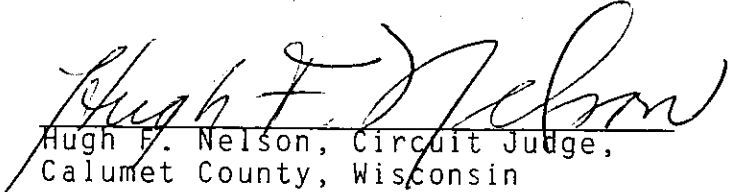
IT IS HEREBY ORDERED upon release from custody following an arrest under Section 968.07 of the Statutes (1987), and unless there is a waiver as described below, the arrested person shall avoid the residence of the alleged victim of the domestic abuse incident, any premises temporarily occupied by the alleged victim, and shall avoid contacting or causing any person, other than attorneys for the arrested person and alleged victim, to contact the alleged victim. This condition shall be in effect from the arrest for a domestic abuse incident until the arrested person makes an initial appearance in court. This period of "no contact" is longer than that provided by the Statute but is in no way inconsistent with the statutory provisions.

IT IS FURTHER ORDERED that consistent with Section 968.075(5)(c) of the Statutes, at any time during the "no contact" period, the alleged victim may sign a written waiver of the requirements of the "no contact" provision set forth above. The law enforcement agency making the arrest shall have a waiver form available. Such waiver form shall be consistent with Section 968.075(5)(b) of the Statutes.

Dated at Chilton, Wisconsin, this 15th day of March, 1989.

BY THE COURT:

**FILED**  
CIRCUIT COURT  
CALUMET COUNTY  
MADELEINE GREGOIRE

  
Hugh F. Nelson, Circuit Judge,  
Calumet County, Wisconsin

MAR 15 1989

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FAMILY COURT COMMISSIONER

## ASSIGNMENTS AND STIPULATED

## COURT RULE NO. 1

HEARING PROCEDURES  
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1.0 The purpose of this rule is to codify the existing practice with respect to hearings before the Family Court Commissioner, and to expand the Family Court Commissioner's authority where authorized by statute to relieve the burden placed on the judge by the weight of the caseload.

1.1 Paternities:

As authorized by Wisconsin Statutes 767.458 and 767.46, the Family Court Commissioner shall preside over all first appearances and pre-trials in paternity proceedings, and shall determine support and enter judgments if the alleged father voluntarily acknowledges paternity of the child. If paternity remains contested after pre-trial hearings and receipt of blood-test reports, the Family Court Commissioner shall notify the judge actually assigned the case so it can be set for trial.

1.2 Divorce Final Hearings:

The Family Court Commissioner, pursuant to Wisconsin Statute 767.13(5)(a), may preside at any hearing held to determine whether a judgment of divorce shall be granted, if both parties state that the marriage is irretrievably broken, and that all issues, including but not limited to division of property or estate, legal custody, physical placement, child support, spousal maintenance, and family support, are resolved, or if one party does not participate in the action for divorce.

1.3 Enforcement or Revision of Judgments:

The Family Court Commissioner may, as authorized by Wisconsin Statute 767.13(5)(b), conduct hearings and enter judgments in all post-judgment actions for enforcement of or revision of judgment for maintenance, child support arising out of divorce, paternity, or URESA proceedings, custody, physical placement, or visitation.

1.4 Domestic Abuse Restraining Orders and Injunctions, 813.12:

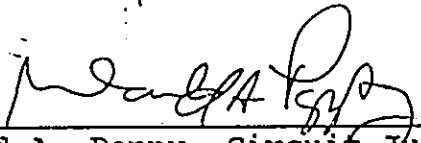
The Family Court Commissioner shall review all domestic abuse petitions under Wisconsin Statute 813.12, issue temporary restraining orders where appropriate, and preside at the final hearings for injunctive relief under 813.12(4).

1.5 Written Stipulations:

Written stipulations resolving divorce issues shall be filed with the Clerk of Courts and Family Court Commissioner at least 10 days before the scheduled hearing.

1.6 Effective date: 01-01-93.

Dated this 4<sup>th</sup> day of January, 1993.

  
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Donald A. Poppy, Circuit Judge,  
Calumet County, Wisconsin

Approved: \_\_\_\_\_

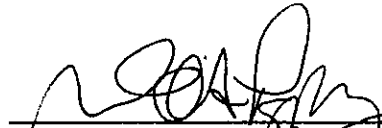
Thomas S. Williams, Chief Judge,  
Fourth Judicial District

## JUVENILE COURT PROCEDURE

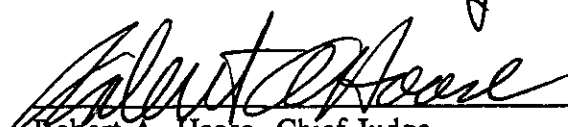
## AMENDED COURT RULE NO. 2

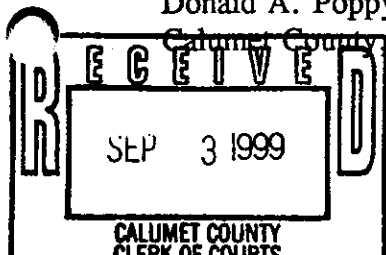
- 2.0 Wisconsin Statutes Chapters 48 and 938 are controlling in all juvenile activities.
- 2.1 All requests for adjournments must be in writing and received no later than 48 hours prior to hearing. Adjournments will be allowed upon showing of good cause for case delay.
- 2.2 Court reports shall be filed with the juvenile clerk 72 working hours prior to the dispositional hearing. The juvenile clerk shall distribute the copies to interested parties. Failure of the reporting agency to file in a timely manner shifts the burden of copy distribution to the reporting agency. Court ordered psychological evaluations shall be filed as directed by court order and copies shall be distributed by the juvenile clerk to all counsel upon the filing of the report. Counsel who have received copies of reports shall be responsible for maintaining the confidentiality of information contained in the reports distributed to them and the Department shall not be liable for the indiscretions of counsel.
- 2.3 The Juvenile Clerk's office shall prepare all juvenile dispositional orders within five business days of the dispositional hearing. The court may designate responsibility for the preparation of orders to another party as deemed appropriate.
- 2.4 An admission questionnaire must be completed prior to the acceptance of any guilty pleas.
- 2.5 When appropriate, the juvenile clerk shall select a Guardian ad Litem, from a predetermined list, prepare an Order Appointing Guardian ad Litem, obtain the court's signature and, if appropriate, obtain consent from appointed counsel.
- 2.6 Juvenile court records and juvenile intake records are deemed confidential and disclosure of same shall only occur when allowed by Statute and/or court order where required.
- 2.7 Juvenile case records are the responsibility of the juvenile clerk and are not to be removed from that office without permission of the juvenile clerk or deputy. Intake records are the responsibility of juvenile intake which shall establish procedures for their care and custody.
- 2.8 Absent a showing of conflict, recoupment of attorney fees will be ordered in all public defender actions by procedures established.
- 2.9 Effective January 1, 1993 and amended July 20, 1999.

Dated this 29th day of July, 1999.

  
Donald A. Poppy, Circuit Judge  
Calumet County, Wisconsin

Approved this 17 day of Aug., 1999

  
Robert A. Haase, Chief Judge  
Fourth Judicial District



In the Matter of the Release of Arrestees  
on Bond By Law Enforcement Agencies

COURT RULE NO. 3  
(Amended 11/19/93)

To All Calumet Law Enforcement Agencies:

1. All persons arrested for a misdemeanor, including a misdemeanor traffic offense, shall be eligible for release without a cash bond as provided in the Preamble for the Uniform Misdemeanor Bail Schedule as established by the Wisconsin Judicial Conference (see page 68 of the 1993 Uniform Bond Book) and as amended from time to time unless bail is otherwise set by the court.

2. All persons released by a law enforcement agency with or without the posting of cash bail shall be required to execute an appearance bond on Form COC-82, a copy of which is attached and which may also be revised from time to time. For one arrested for misdemeanors and/or traffic misdemeanors and released on appearance bond, the amount of the signature bond shall be the amount designated in the Uniform Bond Schedule for such offense.

3. When applicable, bonds shall have the following specific conditions attached:

A. If the charge involves the use of a dangerous weapon, the arrestee shall not be allowed to possess a dangerous weapon.

B. If the non-traffic related charge involves the consumption of alcohol, the arrestee shall be ordered not to consume alcohol or illegal drugs.

C. If the charge involves violence directed at another's person, the arrestee shall be ordered to have no contact with the alleged victim.

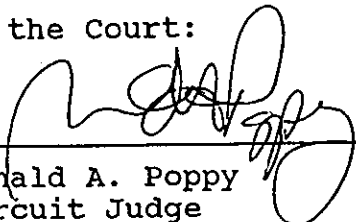
D. If the charge involves operation of a motor vehicle while under the influence of an intoxicant, the arrestee shall be ordered to maintain absolute sobriety when operating a motor vehicle.

E. If the charge involves operating a motor vehicle without a license or privilege to operate, the arrestee shall be ordered not to operate unless lawfully licensed.

4. This order is not intended nor shall it contravene any provision of The Wisconsin Statutes in conflict with any provision of this order.

Dated: November 19, 1993

By the Court:



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Donald A. Poppy  
Circuit Judge

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

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IN THE MATTER OF LIMITING  
THE RELEASE OF JUDGMENT  
INFORMATION  
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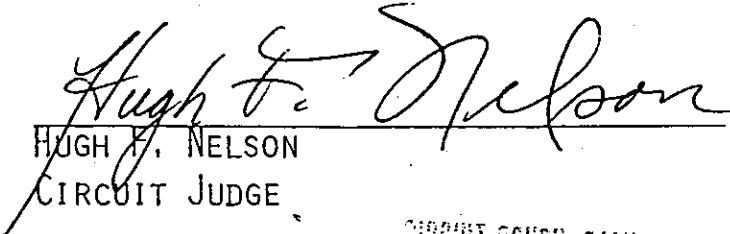
COURT RULE NO. 4

WHEREAS, THE CLERK OF COURTS RECEIVES INQUIRIES FOR  
INFORMATION RELATING TO DOCKETED JUDGMENTS AND LIENS; AND

WHEREAS, THE RELEASE OF SUCH INFORMATION INVOLVES  
ADDITIONAL WORK AND SUBSTANTIAL LIABILITY FOR THE CLERK OF COURTS  
OFFICE;

IT IS THEREFORE ORDERED, IN THE INTEREST OF ECONOMY  
AND THE PROTECTION OF THE COUNTY FROM UNNECESSARY LIABILITY  
THAT THE CLERK OF COURTS OFFICE SHALL NOT ANSWER INQUIRIES FOR  
INFORMATION CONCERNING THE EXISTENCE OF DOCKETED JUDGMENTS AND  
LIENS, AND THAT JUDGMENT RECORDS WILL BE OPEN TO PUBLIC INSPECTION  
DURING NORMAL COURT BUSINESS HOURS.

BY THE COURT:

  
HUGH F. NELSON  
CIRCUIT JUDGE

APPROVED:

  
CHIEF JUDGE

CIRCUIT COURT, CALUMET COUNTY

FILED

JUN 29 1982

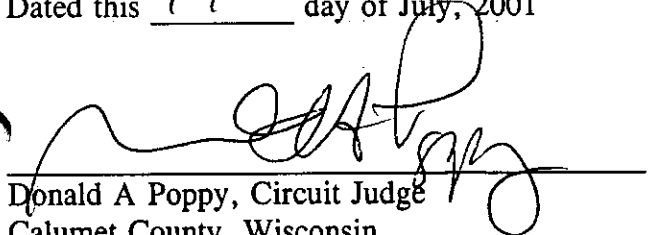
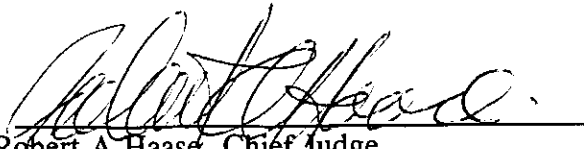
TERRANCE J. OWENS  
CLERK OF COURTS

FACSIMILE TRANSMISSION OF DOCUMENTS  
TO THE COURTAMENDED  
COURT RULE NO. 5FILED  
CIRCUIT COURT

JUL 23 2001

CALUMET COUNTY  
BARBARA VANAKREUTER

- 5.1 Facsimile documents transmitted directly to the court shall be accepted for filing only if:
- The circuit court has a facsimile machine capable of reproducing documents that meet Supreme Court Rule 72.01 concerning retention of filed documents. Only plain-paper facsimile machines currently comply with this requirement.
  - The Circuit Court has a facsimile machine physically located within the offices of the Clerk of Circuit Court or the Register in Probate.
  - The document does not exceed fifteen (15) pages in length, excluding cover sheet.
  - No filing fee is required.
  - No additional fee or charge must be paid by the Circuit Court for accepting or receiving the facsimile document.
  - Facsimile filings shall be in compliance with SS 801.16 as amended from time to time.
- 5.2 Facsimile documents transmitted to a non-court agency, party or company for reception and ultimate transmittal to the court shall be accepted for filing only if:
- No filing fee is required
  - No additional fee or charge must be paid by the Circuit Court for accepting or receiving the facsimile document.
- 5.3 The party transmitting the facsimile document is solely responsible for ensuring its timely and complete receipt.
- 5.4 The Circuit Court, Judge or Clerk of Court is not responsible for:
- Errors or failures in transmission that result in missing or illegible documents.
  - Periods when a Circuit Court facsimile machine is not operational for any reason.
- 5.5 A Judge assigned to a particular matter may authorize in advance the filing of particular documents in that case that do not conform to these rules if good cause is shown and they are in conformance with 801.16.
- 5.6 Documents that are not to be filed but are to be used by the Court for reference or other purpose may be transmitted by facsimile transmission at the discretion of the Judge or Clerk.

Dated this 17<sup>th</sup> day of July, 2001  
Donald A Poppy, Circuit Judge  
Calumet County, WisconsinApproved: Robert A Haase, Chief Judge  
Fourth Judicial District

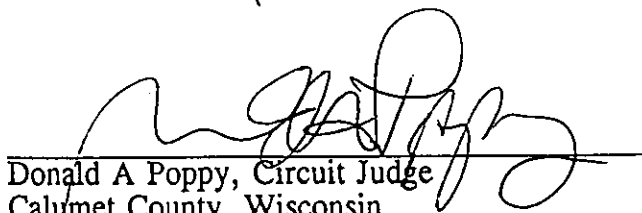


FACSIMILE TRANSMISSION OF DOCUMENTS  
TO THE COURT

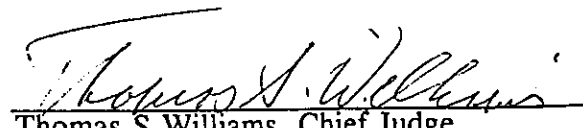
## COURT RULE NO. 5

- 5.1 Facsimile documents transmitted directly to the courts shall be accepted for filing only if:
- The circuit court has a facsimile machine capable of reproducing documents that meet Supreme Court Rule 72.01 concerning retention of filed documents. Only plain-paper facsimile machines currently comply with this requirement.
  - The Circuit Court has a facsimile machine physically located within the offices of the Clerk of Circuit Court or the Register in Probate.
  - The document does not exceed six (6) pages in length, excluding cover sheet.
  - No filing fee is required.
  - No additional fee or charge must be paid by the Circuit Court for accepting or receiving the facsimile document.
- 5.2 Facsimile documents transmitted to a non-court agency, party or company for reception and ultimate transmittal to the court shall be accepted for filing only if:
- No filing fee is required
  - No additional fee or charge must be paid by the Circuit Court for accepting or receiving the facsimile document.
- 5.3 The party transmitting the facsimile document is solely responsible for ensuring its timely and complete receipt.
- 5.4 The Circuit Court, Judge or Clerk of Court is not responsible for:
- Errors or failures in transmission that result in missing or illegible documents.
  - Periods when a Circuit Court facsimile machine is not operational for any reason.
- 5.5 A Judge assigned to a particular matter may authorize in advance the filing of particular documents in that case that do not conform to these rules if good cause is shown and they are in conformance with § 801.16.
- 5.6 Documents that are not to be filed but are to be used by the Court for reference or other purpose may be transmitted by facsimile transmission at the discretion of the Judge or Clerk.

Dated this 29 day of November, 1993

  
Donald A Poppy, Circuit Judge  
Calumet County, Wisconsin

Approved:

  
Thomas S Williams, Chief Judge  
Fourth Judicial District

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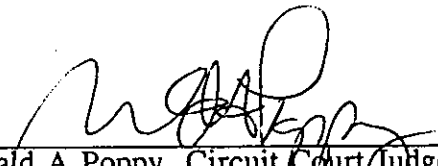
JURORS, JURY COMMISSIONERS  
& CLERK OF COURT AUTHORITY

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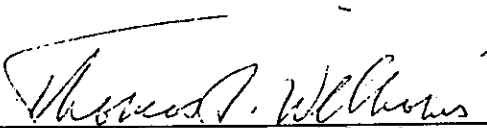
## LOCAL COURT RULE NO. 6

- 6.1 No juror shall be required to serve more than ten (10) days during the three (3) month juror term. The 10 days shall include days that a juror appears for jury duty, whether chosen to serve on the panel or not. Should the length of a trial result in a juror serving more than ten (10) days, any such juror shall still serve despite previous service during the term.
- 6.2 By resolution of the County Board of Supervisors, Jury Commissioners will no longer be required. The Clerk of Circuit Court is authorized to perform the functions of the Jury Commissioners per §756.03(1).
- 6.3 Any person or group of persons may be excluded from service as jurors by order of the Judge. Such finding will be based on a finding that jury service would entail undue hardship, including undue hardship caused by the aging process, extreme inconvenience or serious obstruction or delay in the fair and impartial administration of justice as set forth in 756.02(2). The Clerk of Circuit Court may excuse an individual juror for a portion of that juror's term for the foregoing reasons or upon a personal emergency upon proper application. The exclusion or excuse shall continue for a period deemed necessary by the Judge or the Clerk of Circuit Court.
- 6.4 Should the Clerk of Circuit Court exclude or excuse a juror, the Clerk shall secure from the person a sworn statement that provides evidence of the grounds for the exclusion or excuse.

Dated this 30<sup>th</sup> day of November, 1993

  
Donald A Poppy, Circuit Court Judge  
Calumet County, Wisconsin

Approved: \_\_\_\_\_

  
Thomas S Williams, Chief Judge  
Fourth Judicial District

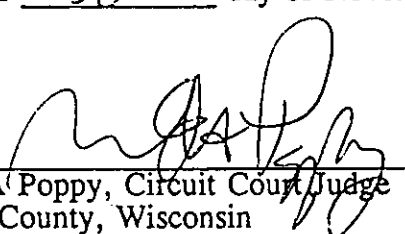
Procedure for Filing Case  
Materials in Out-of-County  
Judicial Assignments

## COURT RULE NO. 7

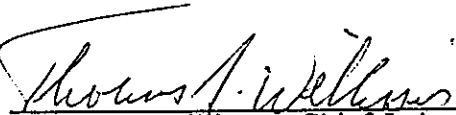
To promote the orderly filing of case materials in out-of-county judicial assignments and protect the integrity of the case record, this policy is hereby adopted.

- 7.1 Upon specific assignment of case responsibility to a judge outside the county where the action was commenced, all subsequent filing of original case materials and a copy thereof shall be made to the Clerk of Court where the action was filed. The Clerk of Court shall file-stamp both the original and the copy.
- 7.2 The Clerk of Court shall thereupon mail a conformed copy to the assigned judge and place the original filing in the case file, subject to section 7.3.
- 7.3 Where the assigned judge requested and has possession of the original case file, the Clerk of Court shall mail the original filing to the Judge assigned. The Clerk of Court shall retain the copy and docket receipt of same.
- 7.4 At request of the assigned judge, the judge's copy of all filings shall be sent directly to the judge contemporaneously upon filing the original with the Clerk of Circuit and Rule 7.2 shall not apply.

Dated this 30<sup>th</sup> day of November, 1993

  
Donald A. Poppy, Circuit Court Judge  
Calumet County, Wisconsin

Approved:

  
Thomas S. Williams, Chief Judge  
Fourth Judicial District

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CALUMET COUNTY ALCOHOL DIVERSION  
PROGRAM PROCEDURE AND PENALTIES

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## COURT RULE NO. 8

- 8.1 The Calumet County Alcohol Diversion Program has been developed to provide an optional educational program to juveniles who have been cited for violation of s.125.07(4)(b) stats., s. 125.09(2) stats. or an ordinance in strict conformity therewith. The purpose of this program is to educate and increase a juvenile's self-awareness about alcohol and its effect on his/her life. The program's goal is to reduce repeated and/or more serious alcohol related offenses.
- 8.2 Any person under the age of 18 years who is cited or found guilty of such an offense in Calumet County is eligible to participate in the program. A resident child adjudicated in another jurisdiction of such an offense may also participate if permitted by the sentencing court. A child may only be admitted to the program once within a 24 month period.
- 8.3 All eligible children cited for a such a violation shall be informed of this alcohol diversion program. At disposition, the child shall be given the option of entering the program or of paying a fine and suffering a driver's license suspension. The child will be advised that he/she is responsible for all costs of the program. If participation is elected by the juvenile, later noncompliance may result in the stayed penalties being reinstated in accord with s.48.344(2g)(d) stats.
- 8.4 If a child appears and fails to have the required documentation, the Court may give the child five days to bring the same to the Clerk of Court's Office.
- 8.5 If a child fails to have a parent/adult present or to have attended the orientation session required for participation in the program, the Court may reset the hearing.
- 8.6 Upon a juvenile's nonappearance, a default judgment shall be entered and the following penalties may be imposed:
- a. First Offense: Forfeiture: \$30.00 + Costs DL Suspension: 30 days
  - b. Second Offense: Forfeiture: \$60.00 + Costs DL Suspension: 60 days
  - c. Third (and subsequent) Offense:  
Forfeiture: \$100.00 + Costs DL Suspension: 90 days
- 8.7 If a child appears in court and chooses to enroll in the program, the following penalties may be imposed and shall be stayed:

- a. First Offense: Forfeiture: \$30 + costs DL Suspension: 30 days  
b. Second Offense: Forfeiture: \$60 + costs DL Suspension: 60 days (last 30 days only stayed). AODA Assessment and follow through with recommendations.

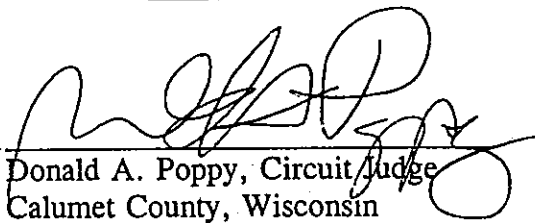
8.8 Upon a finding of guilt, an adjudication shall be entered on the record.

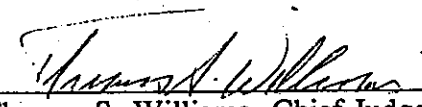
8.9 Third and subsequent offenders for such violations shall not be eligible for participation in the program.

8.10 Effective date: February 1, 1995.

8.11 All statutory citations contained within this rule shall be deemed to include all subsequent amendments or renumbering of any such state statute.

Dated this 30<sup>th</sup> day of January, 1995.

  
Donald A. Poppy, Circuit Judge  
Calumet County, Wisconsin

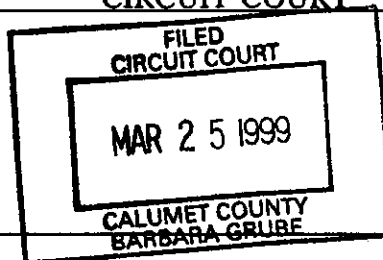
Approved:   
Thomas S. Williams, Chief Judge  
Fourth Judicial District

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

JUVENILE COURT RULE



COURT RULE NO. 9

- 16.1 Pursuant to subsection 938.355(6d) of the Wisconsin Statutes, if a juvenile who has been adjudged delinquent violates a condition specified in the juvenile's court order, the juvenile's caseworker may, without a hearing, take the juvenile into custody and place the juvenile in a secure detention facility or juvenile portion of a county jail that meets the standards promulgated by the Department of Corrections by rule or in a place of nonsecure custody designated by the caseworker for not more than 72 hours while the alleged violation is being investigated, if at the dispositional hearing the court explained those conditions to the juvenile and informed the juvenile of the possibility of that placement or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and that possible placement and that he or she understands those conditions and that possible placement.
- 16.2 Pursuant to subsection 938.355(6d) of the Wisconsin Statutes, if a juvenile who has been found to be in need of protection or services under section 938.13 of the Wisconsin Statutes violates a condition specified in the juvenile's court order, the juvenile's caseworker may, without a hearing, take the juvenile into custody and place the juvenile in a place of nonsecure custody designated by the caseworker for not more than 72 hours while the alleged violation is being investigated, if at the dispositional hearing the court explained those conditions to the juvenile and informed the juvenile of the possibility of that placement or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and that possible placement and that he or she understands those conditions and that possible placement.

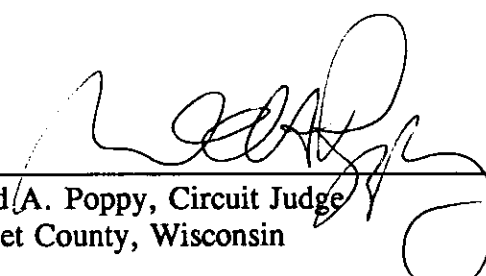
16.3

If a juvenile is held in a secure detention facility, juvenile portion of a county jail or place of nonsecure custody for longer than 72 hours, the juvenile is entitled to a hearing under Section 938.355(6)(c) or Section 938.21 of the Wisconsin Statutes. The hearing shall be conducted in the manner provided in subsection (6) or Section 938.21 the Wisconsin Statutes, except that for a hearing under Section 938.21 the hearing shall be conducted within 72 hours, rather than 24 hours, after the time that the decision to hold the juvenile was made and a written statement of the reasons for continuing to hold the juvenile in custody may be filed rather than a petition under Section 938.25 of the Wisconsin Statutes.

16.4

Effective July 1, 1996.

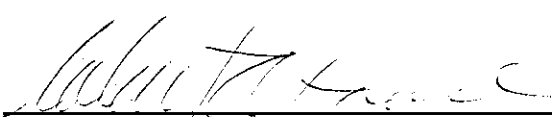
Dated this 12th Day of February, 1998  
Nunc Pro Tunc July 12, 1996



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Donald A. Poppy, Circuit Judge  
Calumet County, Wisconsin

Approved:



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Robert Haase, Chief Judge  
District IV

Drafted July 12, 1996  
DAP/jm

BOND ORDER  
DOMESTIC ABUSE CASES  
Local Court Order

COURT RULE NO. 10

FILED  
CIRCUIT COURT

APR 9 2002

CALUMET COUNTY  
BARBARA VANAKKEREN

WHEREAS Wisconsin Act 346 became effective on April 1, 1989 and this Statute, concerning domestic abuse cases has some provisions concerning contact prohibition upon arrest, the Circuit Court of Calumet County orders the following in an attempt to provide bond conditions consistent with this Statute, and to continue conditions which have been successfully enforced in the past;

IT IS HEREBY ORDERED upon release from custody following an arrest under Wis. Stat. §968.07 and unless there is a waiver as described below, the arrested person shall avoid the residence of the alleged victim of the domestic abuse incident, any premises temporarily occupied by the alleged victim, contacting or causing any person other than attorneys for the arrested person and alleged victim to contact the alleged victim. This condition shall be in effect until further order of the Court or until waived.

IT IS FURTHER ORDERED that consistent with Wis. Stat. §968.075(5)(c), at any time during the "no contact" period and before the issuance of a bond, the alleged victim may sign a written waiver of the requirements of the "no contact" provisions set forth above. The law enforcement agency making the arrest shall have a waiver form available. Such waiver form shall be consistent with Wis. Stat. §968.075(5)(b).

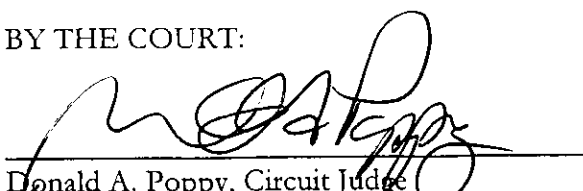
IT IS FURTHER ORDERED, that all Bonds from Calumet County Law Enforcement or the Calumet County Circuit Court are authorized to provide the following provisions on Bond Forms in Domestic Abuse cases concerning the no-contact provisions of those Bonds:

Clothing or personal hygiene items can be obtained only by one of the following Court authorized methods:

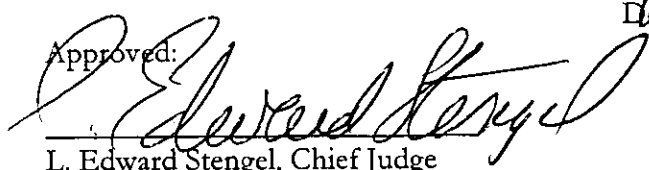
1. Through contact by defendant's attorney with the victim.
2. In cooperation with the arresting police agency at a mutually convenient time.
3. Pursuant to a hearing before the Court scheduled after written request is filed with the Court.

Date this 27<sup>th</sup> day of March, 2002.

BY THE COURT:

  
Donald A. Poppy, Circuit Judge

Approved:

  
L. Edward Stengel, Chief Judge

4/3/02



## EXPIRATION OF BONDS

Court Rule No. 11

WHEREAS from time to time arrestees are released from custody on bail or bond prior to the filing of criminal charges and in some instances charges are not filed;

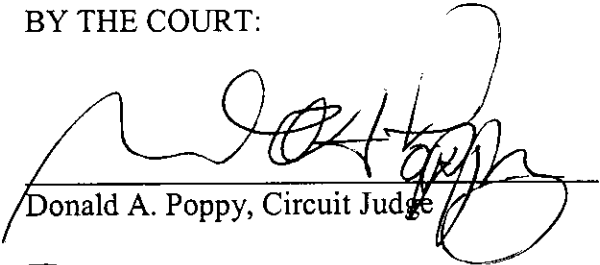
NOW THEREFORE, IT IS HEREBY ORDERED that if formal criminal charges are not filed against an arrestee within 60 days of said arrestees release on bail or bond said bail or bond shall be deemed to have expired and the arrestee shall no longer be subject to its conditions and any monies posted for bail shall be returned by the Clerk of the Circuit Court to the person who posted such bail.

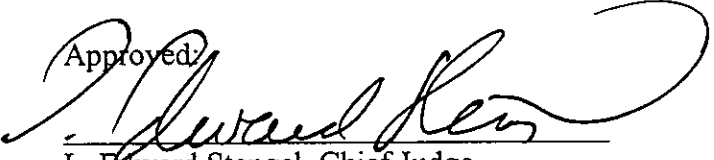
IT IS FURTHER ORDERED that a bond may be continued upon good cause shown after a court hearing with notice to the arrestee.

Dated this 30<sup>th</sup> day of May, 2003.

FILED  
CIRCUIT COURT  
JUL 18 2003  
CALUMET COUNTY  
BARBARA VANAKKEREN

BY THE COURT:

  
Donald A. Poppy, Circuit Judge

Approved: 

L. Edward Stengel, Chief Judge

7/7/03

Date

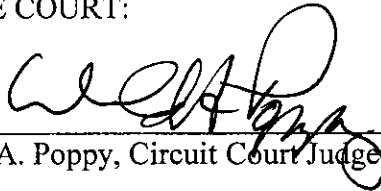
Service of Summons in Small Claims Matters

Court Rule No. 12

Pursuant to Wis. Stat. §799.12(2) the Court does authorize the service of summons in small claims actions other than in eviction actions and in replevin actions to be made by ordinary mail on any defendant residing within Calumet County. Service by ordinary mail in those actions where it is permitted shall be as required by Wis. Stat. §799.12(3) as amended from time to time. All of the provisions of Wis. Stat. §799.12 shall apply when service can not be made by ordinary U.S. mail in small claims court actions.

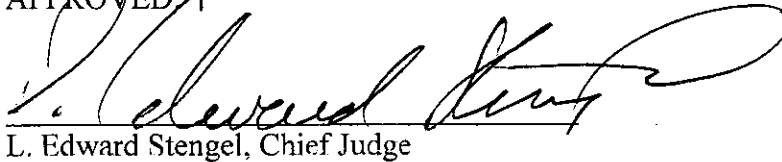
Dated this 29<sup>th</sup> day of November, 2006.

BY THE COURT:



Donald A. Poppy, Circuit Court Judge

APPROVED: <sup>1</sup>



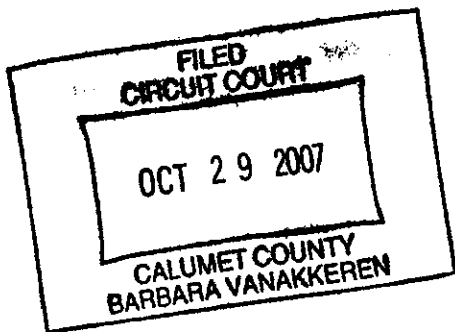
L. Edward Stengel, Chief Judge

12/1/06

Date

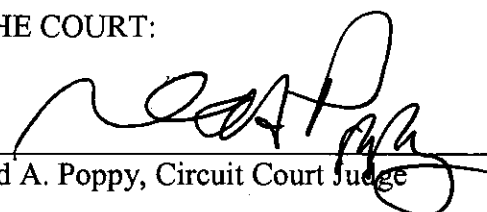
### Calumet County Local Court Rule 13

When contesting a matter in Small Claims Court the defendant(s) shall file a written Answer and or Answer and Counterclaim in the office of the Clerk of Circuit Court, with copy to the plaintiff, either before the return date, at the time of the return date, or within fifteen (15) days of appearing at the return date. Such response shall set forth all defenses and claims with specificity.



Dated this 12<sup>th</sup> day of October, 2007.

BY THE COURT:

  
Donald A. Poppy, Circuit Court Judge

Approved by Chief Judge:

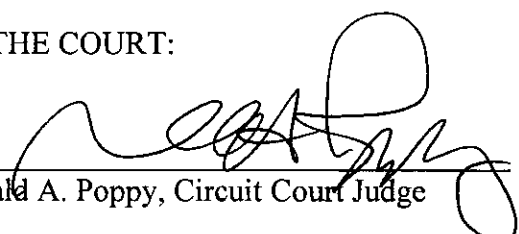
  
Darryl W. Deets, Chief Judge

**Calumet County Local Court Rule 13 - AMENDED**

When contesting a matter in Small Claims Court the defendant(s) shall file a written Answer and or Answer and Counterclaim in the office of the Clerk of Circuit Court, with copy to the plaintiff, either **at or** before the return date. ~~at the time of the return date, or within fifteen (15) days of appearing at the return date.~~ Such response shall set forth all defenses and claims with specificity.

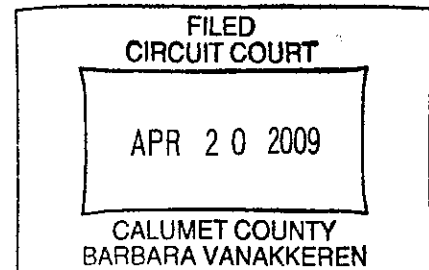
Dated this 9th day of April, 2009.

BY THE COURT:

  
Donald A. Poppy, Circuit Court Judge

Approved by Chief Judge:

  
Darryl W. Deets, Chief Judge



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**Small Claims Appearance Requirements****Court Rule No.13A**

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Upon filing a Small Claims action in Calumet County, a mandatory appearance is required of the Plaintiff and Defendant in Eviction and Replevin actions.

Upon the filing of a money judgment only, the \$2.00 mail fee is required and the Clerk Of Court office will mail the Summons and Petition to the Defendant(s). There is not a mandatory appearance for money judgments.

FILED  
CLERK OF CIRCUIT COURT

AUG 13 2013


CALUMET COUNTY  
BARBARA VANAKKEREN

Dated this 1st day of August, 2013

BY THE COURT:

  
\_\_\_\_\_  
Honorable Jeffrey S Froehlich

Approved by Chief Judge

  
\_\_\_\_\_

Robert J Wirtz, Chief Judge

Dated: 8/12/13

FILED  
CLERK OF CIRCUIT COURT  
MAR 30 2022  
CALUMET COUNTY  
CONNIE DAUN

## Rule No. 13: SMALL CLAIMS

### 1. SERVICE

Small Claims summons and complaints requesting money judgments only, can be served by regular mail by the Clerk of Courts for defendants residing in Calumet County. A \$2.00 mailing fee per defendant is required. A party may opt to effect service consistent with Wis. Stats. § 799.12.

Personal service is required for out-of-county or out-of-state defendants, as well as for eviction actions and replevin actions. If, with reasonable diligence, defendants cannot be served by personal or substitute service, or mail is returned, the Clerk will issue a new return date allowing timely publication of a Class 1 notice under Chapter 985. Proof of service for out-of-county or out-of-state defendants, and for eviction and replevin actions must be filed with the Clerk of Courts **PRIOR** to the initial appearance, or the claim may be dismissed. **Proof(s) of service that are mailed, faxed or e-filed with the Clerk of Courts must be received by 4:00 p.m. on the Monday preceding the initial appearance. Additionally any communications to the Court must be received by 4:00 p.m. on the Monday preceding the initial appearance.**

### 2. APPEARANCES

Commencing April 1, 2022, all parties are required to appear at the initial appearance, also known as the return date. Failure to appear by the plaintiff will result in dismissal; failure to appear by the defendant will result in the entry of a default judgment.

### 3. TELEPHONE AND/OR VIDEO APPEARANCES

Telephone and/or video appearances require prior court approval.

### 4. INITIAL APPEARANCES/RETURN DATES

Defendants must state whether the claim is contested and the reason therefore at the initial appearance. Pretrial conferences will be held immediately for contested cases. Prior to the pretrial conference, parties will be afforded an opportunity to negotiate the claim amongst themselves and should be prepared to do so. Attorneys appearing at the pretrial must have authority to act on behalf of their client(s). Defendants will be expected to state the reason(s) they are contesting the claim. Judgment may be entered if the court deems the defense stated is insufficient. A complaint, or a portion of a complaint, may be dismissed if it fails to state a claim upon which relief can be granted. Testimony and/or evidence are **NOT** taken at the initial appearance. Contested hearings shall be scheduled with the court assigned to the case.

### 5. COUNTERCLAIMS

Defendants alleging claims against the plaintiff will be given a deadline at the initial appearance by which they must file a written counterclaim specifying their claim(s).

## 6. RENT AND DAMAGE HEARINGS

If an eviction is granted, a rent and damage hearing will be scheduled approximately 6 weeks from the granting of the eviction. A rent and damage list must be received in the Clerk of Court's office **no later than 4:00 p.m. on the Wednesday preceding** the rent and damage hearing date. This notice SHALL state the date the notice was mailed to the defendant(s).

## 7. MOTIONS

Pretrial motion hearings must be scheduled with the Court's Judicial Assistant and may not be scheduled at the same time as the initial appearance or contested hearing. All motions must be filed and served on the other party pursuant to the provisions of Chapters 801 and 802, Wis. Stats.

## 8. SMALL CLAIMS HEARINGS

At the contested hearing (the "Court Trial"), the parties will be expected to present testimony, witnesses, their documentation supporting their claim or defense, and any other relevant evidence for the Court to consider in making a decision. Parties must provide an original and two copies of any exhibit they will be submitting to the court for review. Permission may be granted to present brief videotape evidence if requested at the pretrial. Any party granted permission to present videotape evidence must furnish their own equipment at the time of trial.

## 9. CONTINUANCES

All requests for continuances of any small claims proceedings shall be made in writing, filed with the Clerk of Courts, with copies to the other parties at least five (5) business days prior to the scheduled court proceeding. If any party objects to the continuance, a telephone conference call must be arranged with the court at which time the request will be considered. **Contested hearings will not be rescheduled if the request is less than five (5) business days prior to the hearing without the Court's approval and a showing of good cause.**

## 10. FINANCIAL DISCLOSURE

All money judgment debtors are required to make financial disclosures to their judgment creditor within 15 days after the date of entry of judgment unless the judgment is sooner satisfied. Failure to complete the financial disclosure may result in a contempt finding and issuance of an arrest warrant.

## 11. CONTEMPT

At the time of executing contempt warrants for small claims, the judgment debtor will be given the option of completing the financial disclosure form and paying the service fee, or

posting the judgment amount in full including the contempt service fee. If neither is done, the judgment debtor shall be booked into jail on the contempt warrant and be brought before the Court at the designated time.

## 12. PROPER VENUE

A fundamental purpose of the small claims procedure is to permit unrepresented plaintiffs and defendants to appear in court and represent their interests in a legal dispute. When complaints are filed against defendants for disputes that do not arise in Calumet County, the basic purpose of small claims procedures is undermined, and the potential for unfairness to defendants is significant. Accordingly, complaints against defendants who reside outside of Calumet County shall be subject to being transferred to the county of residence of the defendant, unless the complaint provides a factual basis which establishes that the actual controversy arises from contacts or actions within Calumet County. The Court may review any complaints filed against defendants who do not reside in Calumet County for compliance with this rule. If the complaint does not establish a factual basis for establishing that the dispute arose from contacts within Calumet County, then the Court shall transfer venue to the proper county in Wisconsin. Associated fees may be assessed at the Court's discretion.

## 13. SERVICE MEMBERS CIVIL RELIEF ACT:

**A.** A Declaration of Non-Military Service providing information on the defendant's current military service status must be filed for each defendant listed on a summons and complaint. Wisconsin State Form Number GF-175 shall be used to comply with this rule.

**B.** A Declaration of Non-Military Service must also be filed when a party is proceeding with a Contempt Action in Small Claims Court.

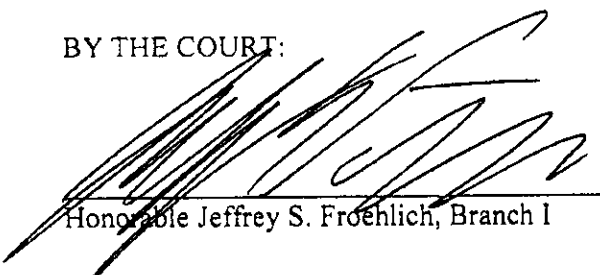
**C.** Upon non-appearance by the defendant, judgment cannot be entered until the Declaration of Non-Military Service is filed. If it is not filed **prior to or at** the initial appearance date the case will need to be continued requiring the plaintiff to make an additional court appearance.

***Rule 13 as amended herein, replaces Local Court Rule 13, dated October 12, 2007 and April 9, 2009 as well as Local Court Rule 13A dated August 13, 2013.***

Adopted April 9, 2009  
Amended August 1, 2013  
Amended March 21, 2022

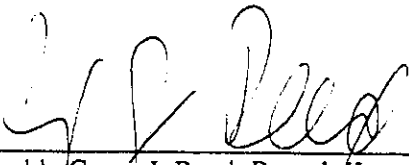
Dated this 21 day of March, 2022

BY THE COURT:

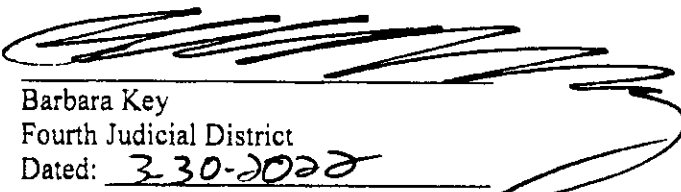


Honorable Jeffrey S. Froehlich, Branch I



  
\_\_\_\_\_  
Honorable Carey J. Reed, Branch II

Approved by Chief Judge

  
\_\_\_\_\_  
Barbara Key  
Fourth Judicial District  
Dated: 3-30-2022

## DE NOVO HEARINGS

Court Rule No. 14

Pursuant to Wis. Stat. §757.69(8), any party has the right to move the Circuit Court Judge to review the decision of a circuit court commissioner/family court commissioner upon the filing of a motion for a hearing de novo.

***FAMILY/PATERNITY HEARINGS:***

Said motion shall be filed within fourteen (14) days of the mailing or personal delivery of the written decision/order of the Family Court Commissioner. (ACALUMETCOUNTY be on file prior to the de novo hearing.)

The party requesting the de novo hearing shall notify in writing all interested parties of the date and time of the de novo hearing.

The Family Court Commissioner's order shall remain in effect unless the Circuit Court Judge grants a stay of the order.

***DOMESTIC ABUSE INJUNCTIONS/HARASSMENT INJUNCTIONS:***

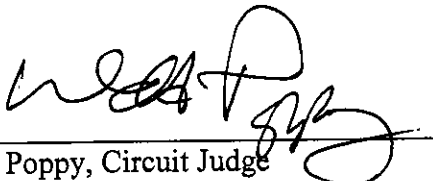
Said motion shall be filed within fourteen days after service of the injunction or dismissal of the petition.

The party requesting the de novo hearing shall notify in writing all interested parties of the date and time of the de novo hearing.


Any injunction entered shall remain in effect while an appeal to the Circuit Court is pending.

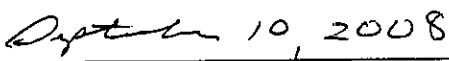
Dated this 5<sup>th</sup> day of September, 2008.

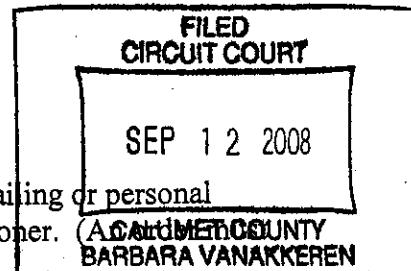
BY THE COURT:

  
Donald A. Poppy, Circuit Judge

Approved:

  
Darryl Deets, Chief Judge

  
Date



Amended Rule No. 14: De Novo Hearings:

Pursuant to Wis. Stat. §757.69(8), any party has the right to move the Circuit Court Judge to review the decision of a circuit court commissioner/family court commissioner upon the filing of a motion for a hearing de novo.

**FAMILY/PATERNITY HEARINGS: De Novo Rights.** Any party who was present at the hearing before the court commissioner, has the right to have the assigned judge hold a new hearing by filing a written request for de novo review, with a copy sent immediately to the opposing party, within 20 days of an oral ruling, or if no oral ruling was issued, within 20 days of the mailing of the written decision. De novo rights do not apply to stipulations. Requests for de novo review do not automatically stay the court commissioner order, only an order from the judge can stay the order. De novo hearings must be heard by the judge within 60 days of the properly filed request. As set forth under § 801.15(1), 20 calendar days are counted consecutively and include weekends and holidays.

**DOMESTIC ABUSE INJUNCTIONS/HARASSMENT INJUNCTIONS:** Said motion shall be filed within fourteen days after service of the injunction or dismissal of the petition. The party requesting the de novo hearing shall notify in writing all interested parties of the date and time of the de novo hearing. Any injunction entered shall remain in effect while an appeal to the Circuit Court is pending.

  
Jeffrey S. Fruehlich  
Circuit Court Branch I

2/1/24  
Date


FILED  
CLERK OF CIRCUIT COURT

FEB 27 2024

CALUMET COUNTY  
LEANNE KARLS

  
Carey J. Reed  
Circuit Court Branch II

2/1/24  
Date

  
Chief Judge Guy Dutcher  
Fourth Judicial District

02/21/2024  
Date

## MORTGAGE FORECLOSURE

## COURT RULE NO. 15

All default judgments in mortgage foreclosures shall be scheduled for a hearing in open court, due notice of which shall have been given to all defendants at least 10 days before the hearing. If all parties consent or no defendant appears at the scheduled hearing, the court may grant a default based on affidavits or testimony.

That in all foreclosure actions, the plaintiff shall attach to the Summons and Complaint served on the defendant/homeowner the following forms printed on yellow paper and can be downloaded from the Calumet County official website; [www.co.calumet.wi.us](http://www.co.calumet.wi.us); Departments; Clerk of Courts; Mortgage Foreclosure:

- a) Notice of Availability of Mediation
- b) Application for Mediation

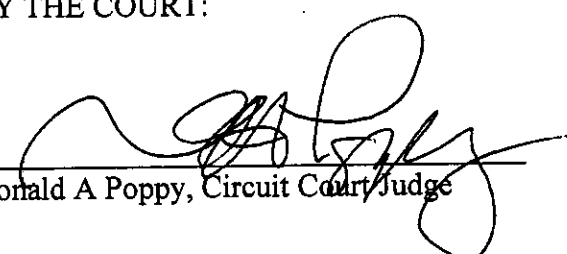
FILED  
CLERK OF CIRCUIT COURT

JUN 22 2010


CALUMET COUNTY  
BARBARA VANAKKEREN

Dated this 1st day of June, 2010

BY THE COURT:

  
Donald A Poppy, Circuit Court Judge

Dated this 7th day of June, 2010  
Approved by Chief Judge:

  
Chief Judge Darryl Deets

APR 3 - 2012

CALUMET COUNTY  
BARBARA VANAKKEREN

**Calumet County Local Court Rule 16**

**Amendment or Dismissal of Felony cases by the District Attorney**

WHEREAS, the Circuit Court is to accept pleas that are in the public interest; pursuant to State v. Kenyon, 85 Wis.2d 36, 270 N.W.2d 160 (1978); and

WHEREAS, the District Attorney's Office has the discretion to submit negotiated pleas to the Court for the Court's approval; and

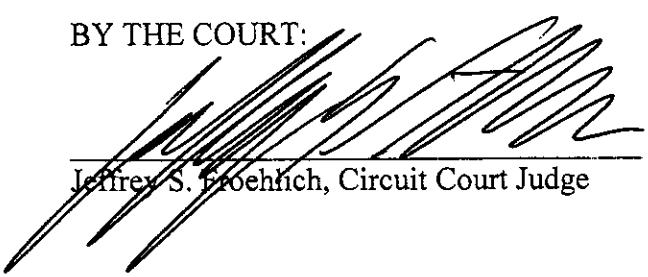
WHEREAS, the District Attorney's Office makes such decisions based upon information which is unavailable to the Court but which the Court should have available to it before accepting a negotiated plea;

NOW, THEREFORE, IT IS HEREBY ORDERED that the District Attorney's Office shall file, when following arraignment any felony count is being amended or dismissed as part of a plea agreement, a written statement containing the factors and considerations taken into account in making such plea negotiation, including but not limited to the facts and circumstances leading to the defendant's arrest, prior criminal record of the defendant, statement from the victim and the views of the arresting law enforcement agency. See State v. Conger, 325 Wis.2d 664, 797 N.W.2d 341 (2010).

This rule shall become effective for any plea taken after May 1, 2012.

Dated this 22<sup>nd</sup> day of March, 2012.

BY THE COURT:



Jeffrey S. Froehlich, Circuit Court Judge

Approved by Chief Judge:



Robert J. Wirtz, Chief Judge

## MANDATORY PARENTING EDUCATION PROGRAM

Court Rule No. 17

WHEREAS, § 767.401(1) of the Wisconsin Statutes allows the Court to compel parties to actions affecting the family to attend a program on the effects of marital dissolution on children.

THEREFORE, IT IS HEREBY ORDERED that in any action affecting the family in which a minor child is involved, in which the Court will issue a decision or affirm a stipulation regarding legal custody or physical placement, the Court shall order the parties to attend a Parenting Program through the UW Extension entitled "Supporting Children During Divorce" concerning the effects on a child of a dissolution of a marriage and/or training in parenting or co-parenting skills.

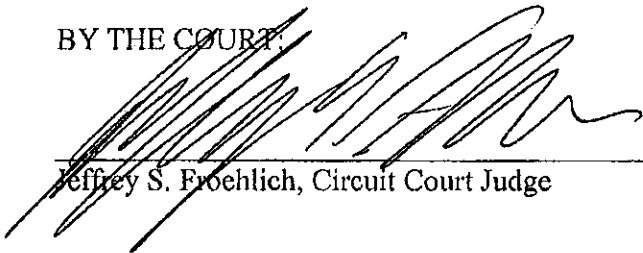
Attendance at said program shall be completed within 120 days of the filing of the Petition for Divorce or Legal Separation. A certificate of attendance at said program shall be filed with the Clerk of Court Office upon completion of the program.

Any party may petition the Court in writing for waiver of this requirement due to his or her specific situation. Requirement of this program is automatically waived when the youngest minor child is age 17 or older at the time of filing the Petition for Divorce or Legal Separation.

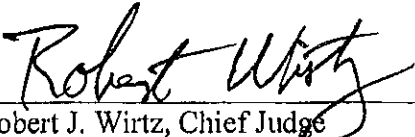
This local rule applies to all actions filed after October 1st, 2012.

Dated this 12th day of September, 2012.

BY THE COURT:

  
Jeffrey S. Froehlich, Circuit Court Judge

Approved by Chief Judge:

  
Robert J. Wirtz, Chief Judge

Calumet County Court Rule No.18:

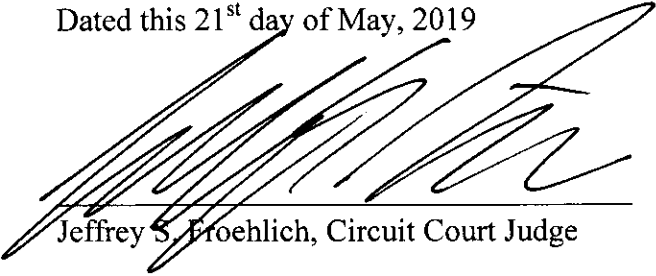
The release and disclosure of the Custody Evaluation and the Case Assessment and Conclusion:

Any attorney for any party, the Guardian ad Litem and an unrepresented party may obtain a copy of the Case Assessment and Conclusion in any case involving said Guardian ad Litem, attorney for any party or such party, by submitting a written request to the Court. Release of said report shall be subject to the following conditions:

1. The Case Assessment and Conclusion shall be filed confidential and will not be available to any party or counsel without Court approval.
2. Any attorney, Guardian ad Litem, or unrepresented party shall be advised that the contents of the Custody Evaluation and the Case Assessment and Conclusion should not be disclosed to any person other than a party to the case wherein the custody evaluation has been made.
3. Any hard copies of the Case Assessment and Conclusion shall be returned to the Court or destroyed after completion of the case.

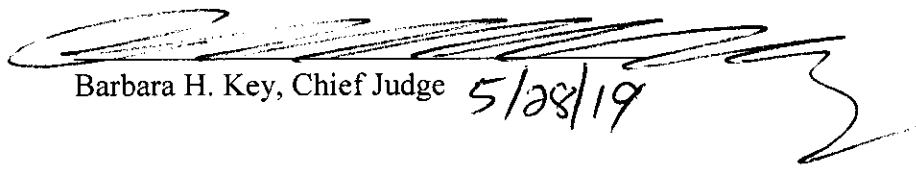
This rule shall become effective as of June 1, 2019.

Dated this 21<sup>st</sup> day of May, 2019



Jeffrey S. Froehlich, Circuit Court Judge

Approved by Chief Judge:



Barbara H. Key, Chief Judge

5/28/19

MAR - 6 2022

CALUMET COUNTY  
CONNIE DAUN

**Rule No. 19: ASSIGNMENT AND CONSOLIDATION OF CRIMINAL CASES (Effective January 1, 2022)**

Whereas: Assignment of all pending cases for one defendant to one court would be beneficial to the Courts, the defendants, prosecutors, and defense attorneys.

1. In a criminal case, a trial judge shall be assigned from the random draw except as provided in this rule. Cases will be assigned to balance the assignments based on the number assigned to each court official.
2. A single judge shall be assigned all files presented against a defendant upon filing.
3. If a defendant has a criminal misdemeanor or felony case pending, any subsequently filed cases shall be assigned to the judge with the oldest pending case. This does not include cases set for sentencing after revocation of probation. Cases set for sentencing after revocation of probation are not considered pending cases. The district attorney shall advise the Court of any other open/pending criminal felony or misdemeanor cases pending in Calumet County by listing open cases on any criminal complaint filed after January 1, 2022. The case shall be assigned to the judge of the oldest pending criminal case, and the Clerk of Court's Office shall so designate. Once all pending cases against a single defendant are closed, any new cases will be assigned in accordance with Item 1.
4. When a criminal complaint lists more than one defendant, one judicial assignment shall be drawn per file.

**Rule No. 20: ORDER FOR ASSIGNMENT OF CASES (Effective January 1, 2022):**

**CIVIL CASES:** All cases will be assigned on an equal basis by the Clerk of Court's Office. All even numbered cases shall be assigned to Branch II and all odd numbered cases to Branch I.

Civil cases associated with a forfeiture of property or return of property associated with an open criminal felony or misdemeanor will be assigned to the Court where the criminal case is pending.

**CONSOLIDATION OF CIVIL LAWSUITS:** Consolidation of civil lawsuits shall be requested by motion and will be granted only upon the joint written Order of the transferring Court and the Court to which the action is to be transferred. If granted, the consolidated cases will be assigned to the Court to which the earliest-filed lawsuit was assigned.

**FAMILY CASES:** All cases will be assigned on an equal basis by the Clerk of Court's Office. All even numbered cases shall be assigned to Branch II and all odd numbered cases to Branch I.

**PROBATE CASES:** All cases will be assigned on an equal and random basis by the Register in Probate's Office. Cases will be assigned to Branch I and Branch II on an equally-alternating basis, excluding those cases assigned to the Probate Registrar.

**GUARDIANSHIP CASES:** All cases will be assigned on an equal and alternating basis by the Register in Probate's Office.

**ADOPTION CASES/TERMINATION OF PARENTAL RIGHTS CASES:** All cases will be assigned on an alternating and equal basis where appropriate by the Register in Probate's Office, with the exception being that an adoption and termination for the same child will be



assigned to the same judge, as will multiple adoptions/terminations processed by the same parties simultaneously.

**INTAKE COURT ASSIGNMENT:** The following case types shall be assigned to a judge through the Intake Court. The assignment of a judge to the Intake Court shall be for a period of two (2) weeks. The Intake Court judge is the duty judge for Calumet County. Any emergency matters are to first contact the Intake Court for assistance. After normal court hours, requests for search and arrest warrants and bond determinations are the responsibility of the Intake Court judge. Subject to the order of the Intake judge, and in appropriate cases, a court commissioner may hear matters as allowed by his or her authorized power approved by the Chief Judge. The Intake Court judge should not attend judicial education and shall not plan vacation without prior arrangements with the other circuit judge or make appropriate arrangements with a court commissioner or get approval of the Chief Judge during their Intake Court assignment.

**CRIMINAL TRAFFICE AND TRAFFIC CASES:** All cases will be assigned to the presiding Intake Court judge set by the Clerk of Court's Office. The case is considered assigned to that judge.

**SMALL CLAIMS:** All cases will be assigned on the small claims return date to the presiding Intake Court judge. The case is considered assigned to that judge and subject to SCR 70.19(3)(a).

**JUVENILE CASES:** All cases will be assigned based primarily on the filing date to the Intake Court judge, as well as the intake calendar and statutory time limits. However, once a Court has been assigned one case for a juvenile, further petitions regarding that same juvenile will be assigned to the same judge. The Register in Probate shall be responsible for equitable distribution of the cases.

**MENTAL HEALTH CASES:** The presiding Intake Court judge will hear Wisconsin Chapters 51 and 55 cases. The case is considered assigned to that judge. Chapter 55 cases that are to be heard with Chapter 54 cases shall be coordinated as necessary by the Register in Probate.

**Rule No. 21: MOTIONS TO BE ACCOMPANIED BY BRIEF OR LEGAL  
MEMORANDUM (Effective January 1, 2022)**

Any motion filed in a criminal court matter shall meet the criteria set forth in sec. 971.30(2), Wis. Stats. The sec. 971.30(2)(b), Wis. Stats., "brief description of the type of order or relief sought", and the sec. 971.30(2)(c), Wis. Stats., statement "with particularity (of) the grounds for the motion and the order or relief sought", may be set out in the motion, notice of motion, brief, or legal memorandum and shall meet the requirements of *State v. Radder*, 382 Wis.2d 749 (Ct. App 2018). A "brief description of the type of order sought" is defined to be a written document by which counsel or party conveys to the Court the essential facts of his/her client's motion; a statement of the law involved that he/she would have the Court apply, and the application of the law he/she would have the Court make to grant the order sought by the motion. Where the motion made entitles the movant to an evidentiary hearing, movant in his/her motion may

reserve the filing of a brief or memorandum of law pending completion of that hearing. Such reservation does not exempt the filed motion from conforming to the requirements of sec. 971.30(2), Wis. Stats.

No brief or legal memorandum is required in the following instances, provided the motion refers to the appropriate statute or supporting case law:

- a) Discovery and inspection demands pursuant to §971.23 Wis. Stats.
- b) Motions for change of bail conditions pursuant to §§969.03, 969.035 and 969.08 Wis. Stats.
- c) Any other motion for which a standard form has been approved by the Judicial conference pursuant to §758.18 Wis. Stats.

If there is no existing law applicable to the motion, the moving party shall so state in the moving papers. Failure to comply with this rule may result in sanctions including dismissal of the motion.

**Obtaining Motion Dates.** A party filing a motion in a criminal case shall be responsible for obtaining and noticing the motion hearing date. Failure to properly notice the motion shall constitute waiver of the motion. Motion hearing dates shall not be assigned until the motion is filed.

**Rule No. 22: VISUAL AND AUDIO RECORDING EQUIPMENT (Effective January 1, 2022)**

In addition to the official court reporter, the privilege to photograph, televise, and record Court proceedings may only be exercised by persons or organizations which are part of the media, upon prior permission by the Court. No other person shall be permitted to use visual or audio recording equipment during a court proceeding. See SCR 61.01, 61.04, 61.09, and 61.12

**Rule No. 23: WEAPONS IN COURTROOM (Effective January 1, 2022)**

All certified law enforcement officers and transport personnel shall be entitled to carry a weapon in the courtrooms in Calumet County. No other person with the exception of the presiding judge shall go armed with a dangerous weapon (including but not limited to firearms, electronic weapons, knives, or clubs or other items which may be listed in the County Ordinance covering prohibited items on the Courtroom) while in any courtroom.

**Rule No. 24: TIMELINES OF GUILTY PLEAS IN JURY TRIALS (Effective January 1, 2022)**

If a criminal defendant intends to enter a guilty plea or no contest plea in any criminal case scheduled for jury trial, the Court should be notified of the intended plea (no later than by noon) two (2) business days preceding the commencement of the trial. A party failing to comply with this rule may be assessed the entire cost of a one day jury trial, including all mileage costs, totaling no less than \$500.

Amendment of the complaint, information, or State's offer occurring after noon two (2) business days preceding the commencement of the trial including dismissal of charges may result in jury costs being assessed against the office of the prosecuting attorney.



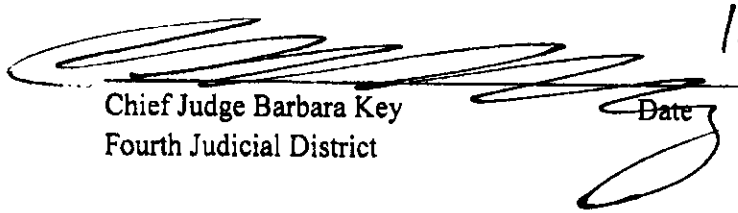
Jeffrey S. Froehlich  
Circuit Court Branch I

12/22/21  
Date



Carey J. Reed  
Circuit Court Branch II

12/22/21  
Date



Chief Judge Barbara Key  
Fourth Judicial District

12-22-21  
Date

**Amended Rule No. 19: ASSIGNMENT AND CONSOLIDATION OF CRIMINAL CASES INCLUDING CRIMINAL TRAFFIC CASES (As Amended and Effective February 1, 2024)**

Whereas: Assignment of all pending cases for one defendant to one court would be beneficial to the Courts, the defendants, prosecutors, and defense attorneys.

1. In a criminal case, a trial judge shall be assigned from the random draw except as provided in this rule. Cases will be assigned to balance the assignments based on the number assigned to each court official.
2. A single judge shall be assigned all files presented against a defendant upon filing.
3. If a defendant has a criminal misdemeanor or felony case pending, any subsequently filed cases shall be assigned to the judge with the oldest pending case. This does not include cases set for sentencing after revocation of probation. Cases set for sentencing after revocation of probation are not considered pending cases. The district attorney shall advise the Court of any other open/pending criminal felony or misdemeanor cases pending in Calumet County by listing open cases on any criminal complaint filed after January 1, 2022. The case shall be assigned to the judge of the oldest pending criminal case, and the Clerk of Court's Office shall so designate. Once all pending cases against a single defendant are closed, any new cases will be assigned in accordance with Item 1.
4. When a criminal complaint lists more than one defendant, one judicial assignment shall be drawn per file.

  
Jeffrey S. Froehlich  
Circuit Court Branch I

1/22/24  
Date


FILED  
CLERK OF CIRCUIT COURT

JAN 26 2024

CALUMET COUNTY  
LEANNE KARLS

  
Carey J. Reed  
Circuit Court Branch II

1/22/24  
Date

  
Chief Judge Guy Dutcher  
Fourth Judicial District

01/24/2024  
Date

**Amended Rule No. 20: ORDER FOR ASSIGNMENT OF CASES (As Amended and Effective January 1, 2024):**

**CIVIL CASES:** All cases will be assigned on an equal basis by the Clerk of Court's Office. All even numbered cases shall be assigned to Branch II and all odd numbered cases to Branch I.

Civil cases associated with a forfeiture of property or return of property associated with an open criminal felony or misdemeanor will be assigned to the Court where the criminal case is pending.

**CONSOLIDATION OF CIVIL LAWSUITS:** Consolidation of civil lawsuits shall be requested by motion and will be granted only upon the joint written Order of the transferring Court and the Court to which the action is to be transferred. If granted, the consolidated cases will be assigned to the Court to which the earliest-filed lawsuit was assigned.

**FAMILY CASES:** All cases will be assigned on an equal basis by the Clerk of Court's Office. All even numbered cases shall be assigned to Branch II and all odd numbered cases to Branch I.

**PROBATE CASES:** All cases will be assigned on an equal and random basis by the Register in Probate's Office. Cases will be assigned to Branch I and Branch II on an equally-alternating basis, excluding those cases assigned to the Probate Registrar.

**GUARDIANSHIP CASES:** All cases will be assigned on an equal and alternating basis by the Register in Probate's Office.

**ADOPTION CASES/TERMINATION OF PARENTAL RIGHTS CASES:** All cases will be assigned on an alternating and equal basis where appropriate by the Register in Probate's Office, with the exception being that an adoption and termination for the same child will be assigned to the same judge, as will multiple adoptions/terminations processed by the same parties simultaneously.

**INTAKE COURT ASSIGNMENT:** The following case types shall be assigned to a judge through the Intake Court. The assignment of a judge to the Intake Court shall be for a period of two (2) weeks. The Intake Court judge is the duty judge for Calumet County. Any emergency matters are to first contact the Intake Court for assistance. After normal court hours, requests for search and arrest warrants and bond determinations are the responsibility of the Intake Court judge. Subject to the order of the Intake judge, and in appropriate cases, a court commissioner may hear matters as allowed by his or her authorized power approved by the Chief Judge. The Intake Court judge should not attend judicial education and shall not plan vacation without prior arrangements with the other circuit judge or make appropriate arrangements with a court commissioner or get approval of the Chief Judge during their Intake Court assignment.

**TRAFFIC CASES:** All cases will be assigned to the presiding Intake Court judge set by the Clerk of Court's Office. The case is considered assigned to that judge.

**SMALL CLAIMS:** Return dates will be scheduled with the Court on intake and will be scheduled on an equal and rotating basis. All cases will be assigned on an equal basis by the Clerk of Court's Office. All even numbered cases shall be assigned to Branch II and all odd numbered cases to Branch I. Subsequent to the initial return date, all future hearings will be scheduled with the assigned Court. Adjourned return dates will be scheduled before the assigned Court.

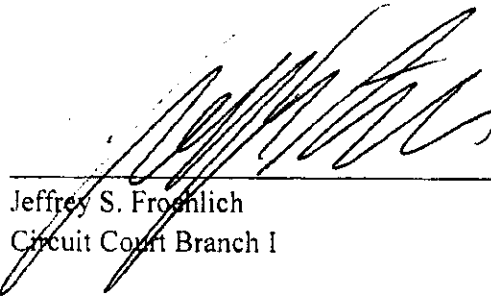
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CLERK OF CIRCUIT COURT

JAN 26 2024

CALUMET COUNTY  
LEANNE KARLS

**JUVENILE CASES:** All cases will be assigned based primarily on the filing date to the Intake Court judge, as well as the intake calendar and statutory time limits. However, once a Court has been assigned one case for a juvenile, further petitions regarding that same juvenile will be assigned to the same judge. The Register in Probate shall be responsible for equitable distribution of the cases.

**MENTAL HEALTH CASES:** The presiding Intake Court judge will hear Wisconsin Chapters 51 and 55 cases. The case is considered assigned to that judge. Chapter 55 cases that are to be heard with Chapter 54 cases shall be coordinated as necessary by the Register in Probate.



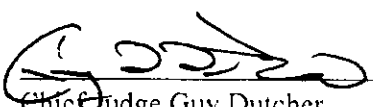
Jeffrey S. Froehlich  
Circuit Court Branch I

4/22/24  
Date



Carey J. Reed  
Circuit Court Branch II

1/22/24  
Date

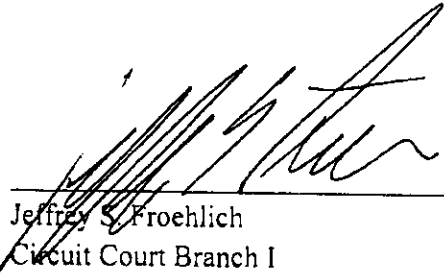


Chief Judge Guy Dutcher  
Fourth Judicial District

01/24/2024  
Date

**Rule No. 25: Order for Assignment of Petitions for Temporary Restraining Order and/or  
Petition and motion for injunction hearing.**

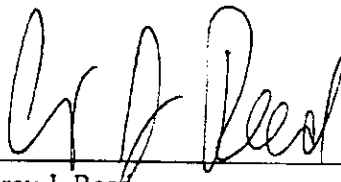
In all cases where a temporary restraining order is authorized under § 813.12, § 813.122,  
§ 813.123, or § 813.125, the Court is required to hold a hearing on the injunction within 14 days  
of the temporary restraining order being issued. Therefore, case assignment is to the Circuit  
Court branch which is on intake at the time the hearing is required by statute.

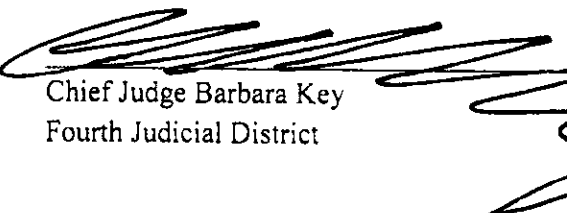
  
Jeffrey S. Froehlich  
Circuit Court Branch I  
3/9/22  
Date

FILED  
CLERK OF CIRCUIT COURT

MAR 16 2022

CALUMET COUNTY  
CONNIE DAUN

  
Carey J. Reed  
Circuit Court Branch II  
3/9/22  
Date

  
Chief Judge Barbara Key  
Fourth Judicial District  
3-16-22  
Date