

Dane County Circuit Court Rule 118:
Alternative Dispute Resolution / Notice of Mediation in
Foreclosure Cases and Eviction Cases

ORDER

IT IS ORDERED Rule 118 is amended as follows:

Unless otherwise directed by the court, ADR will be used pursuant to section 802.12 Wis. Stats. (Alternative Dispute Resolution) in all areas where appropriate.

A. Mandatory Form Plaintiff Shall Serve in Certain Residential Foreclosure Actions.

In foreclosure actions, of a residential property with four units or less, at the time of service, the Court shall require the plaintiff to inform the defendant in writing, using the forms adopted by the court, at the time of service, that either party may request ADR procedures (Sec. 802.12 Wis. Stats.) may be requested by either party. Such forms, when served, shall be printed on pink paper. Plaintiff shall print the form and place it directly behind the summons. This rule shall apply only to residential property with up to four units. and complaint when serving the pleadings on the defendant(s).

B. Mandatory Forms Plaintiff Shall Serve in Certain Residential Eviction Actions.

In all residential eviction actions, the Court requires the plaintiff to inform the defendant in writing, using the forms adopted by the court, that free mediation services are available at the return date or prior to it. Plaintiff shall print the form and place it directly behind the summons and complaint when serving the pleadings on the defendant(s).

In residential eviction actions based on the tenant's alleged nonpayment of rent or other expenses, the plaintiff shall also inform the defendant in writing, using the forms adopted by the court, that all parties may retain counsel for the eviction and that government funded financial assistance and legal assistance may be available to qualified persons. Plaintiff shall print the form and place it directly behind the summons, complaint and form referred to in the prior paragraph when serving the pleadings on the defendant(s).

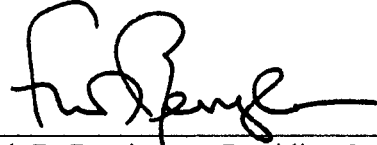
The adopted forms under Rule 118 Subsections A and B shall be available both on the Clerk of Courts website and in hard copy from the Clerk of Court's office ~~and shall set forth the ADR procedures and deadlines.~~

Plaintiff shall ensure that the Affidavit of Service specifies that the required forms were served on Defendant(s), either by listing those forms in the summary of documents served or by attaching copies of those documents to the affidavit and confirming they were served.

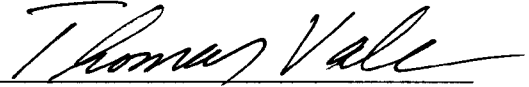
Effective: May 1, 2023

Dates this 31st March day of ~~April~~, 2023

Dated this 31st March day of ~~April~~, 2023



Frank D. Remington, Presiding Judge
Dane County Circuit Court



Thomas Vale, Chief Judge
Fifth Judicial Administrative District