

10th Judicial District Local Court Rules (Douglas County)

Part 1: Tenth Judicial District Rules:

101: District Rule Adoption and Promulgation. Rules shall be adopted by written order of all Douglas County Circuit Court Judges, subject to approval of the Chief Judge of the District. Each rule shall specify an effective date. Once adopted, rules shall be filed in accordance with Wis. Stats. §753.35. (Effective date: 06/01/07)

101.01: Pursuant to Wis. Stats. §753.35(2), the Tenth Judicial District Court Rules are attached and incorporated herein by reference.

Part 2: Court Practice:

201: Visual and Audio Recording Equipment.

201(1): 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. (Effective date: 06/01/18)

202: Closure of Proceedings.

202.01: Media Coverage. Unless good cause be shown or otherwise required by statute, a party requesting that any judicial proceeding be closed to the public must notify the Court and the media coordinator in writing at least 72 hours before the time set for the hearing or motion. The purpose of this rule is to permit legal counsel to appear on behalf of the media and be heard. The burden shall be upon the moving party to show why the proceedings should not be public. (Effective date: 06/01/07)

204: Continuances.

204(1): Approval of the Court Required. A continuance of a Court hearing or trial will not be automatically granted simply because all parties agree to a continuance. All requests for a continuance are subject to approval of the Court. (Effective date: 06/01/07)

204(2): Requests Must Be in Writing. A request for a continuance must be made in writing and must state the specific reason(s) why a continuance is being sought. (Effective date: 06/01/07)

204(3): Moving Party Must Confer with Opposing Party. A request for continuance must state the position of the opposing counsel or party. The Court must be made aware of any objection to granting the continuance, and any time limit conditions the opposing counsel or party may have. When circumstances do not permit contact with the opposing counsel or party, the request for continuance must state the good cause basis for not having contacted the opposing counsel or party. (Effective date: 06/01/07)

205: Court Commissioner.

205(1): Availability of De Novo (New) Review Hearing by Judge. Decisions of the Court Commissioner are subject to a de novo (new) review hearing by the assigned judge (except for bindovers in felony preliminary hearings which are subject to a motion to dismiss addressed to the assigned judge). Any party who was present at a hearing before the Court Commissioner has the right to request de novo review. Requests for such a hearing must be in writing and filed with the Clerk of Courts pursuant to the requirements of this rule. All requests for de novo review shall state with particularity the specific decisions of the Court Commissioner for which the review is requested. Findings and Orders entered by the Court

Commissioner by stipulation or by default are not subject to de novo review. (Effective date: 06/01/07; Revised 06/01/18)

- 205(2): Timeliness of Requests for De Novo Review of Court Commissioner Decisions. Any party entitled to seek a de novo review of a decision of the Court Commissioner shall file a written request for such review pursuant to statutory time requirements, but if no statutory time requirement exists then within 20 days of the issuance of oral decision by Court Commissioner or within 23 days of mailing of the written decision if the decision was not issued orally at the conclusion of the hearing. A copy of the de novo review request shall be immediately delivered or mailed to all other parties (or their attorneys, if represented) by the requesting party. Any request for de novo review of the Court Commissioner's decision not filed in accordance with these time limits shall be deemed untimely, and denied without hearing. (Effective date: 06/01/07; Revised 06/01/18)
- 205(3): Effect of Requests for De Novo Review of Court Commissioner Decisions. Notices requesting a de novo review of a Court Commissioner decision will not automatically stay the Commissioner's Order unless the assigned judge specifically grants a stay of the Commissioner's Order. The Commissioner's Order shall remain in effect until the assigned judge renders a decision. (Effective date: 06/01/07)
- 205(4): Court Recordings. Parties seeking to have an audio recording of hearings held before the Court Commissioner shall request such a recording in advance. A compact disc recording of a hearing held before the Commissioner is available to the parties only. A request for such a recording shall be in writing, noticed to all other parties, and be accompanied by a \$10 fee. (Effective date: 06/01/18)

207: Facsimile/E-Mail Transmission of Documents to the Court.

207(1): E-mail Transmissions. Except by express permission on a case-by-case basis, no person shall submit any pleading or correspondence to a Circuit Court Judge or Court Commissioner through electronic mail (e-mail). Documents intended for filing must be submitted to the Clerk of Court, as required by Wis. Stats. §801.16(1). (Effective date: 06/01/07)

207(2): Facsimile Transmission of Documents. Pursuant to Wis. Stats. §801.16(2), the following governs facsimile transmissions to a Circuit Court Judge, the Court Commissioner, or the Register in Probate in all cases: (a) facsimile transmissions to the judiciary shall be by express permission only, on a case-by-case basis; and (b) facsimile transmissions to the judiciary shall be sent directly to the particular judicial official's facsimile number. The Clerk of Courts and the County Clerk are not authorized to accept facsimiles directed to a member of the judiciary. Any facsimile transmissions to the Court in violation of these provisions will not be reviewed or otherwise considered by the Court. (Effective date: 06/01/07; Revised 06/01/18)

213: Jury Fees.

213(1): Jury Demands in Civil Traffic/Forfeiture Cases. Requests for a jury trial in civil traffic or other forfeiture cases shall be filed in writing, along with payment of the jury fee, with the Clerk of Courts within 10 days after a plea of not guilty is entered. The jury fee payment is nonrefundable. (Effective date: 06/01/07)

214: Rules of decorum.

214(1): Attire. Lawyers and court personnel shall, while in court, be attired in such a manner as not to lessen the dignity of the Court proceedings. (Effective date: 06/01/07)

- 214(2): Promptness of Proceedings. Attorneys and parties shall be prepared to proceed at the time matters are scheduled. Failure to proceed on time may be grounds for sanctions (including but not limited to costs, dismissal, judgment, and ruling against the late party on the particular matter before the Court). (Effective date: 06/01/07)
- 214(3): Civility in Witness Examination. Witnesses shall be examined with courtesy and respect. (Effective date: 06/01/07)
- 214(4): Voir Dire. During examination of jurors on voir dire, the lawyer or party conducting the examination shall, insofar as practical, use collective questions, avoid repetition and seek only material information, and avoid engaging in individual voir dire unless it follows in response to a general question. When addressing the jury, the lawyer or party shall not crowd the jury box. (Effective date: 06/01/07)
- 214(5): Formality of Proceedings. During trial, no lawyer or party shall exhibit familiarity with witnesses, jurors, or opposing counsel, and generally the use of first names shall be avoided. (Effective date: 06/01/07)
- 214(6): Cell Phones and Other Electronic devices. All persons shall turn off or silence cell phones and all other electronic devices in his/her possession before entering any courtroom. (Effective date: 06/01/07; Revised 06/01/18)
- 214(7): Weapons in the Courtroom. All certified law enforcement officers and transport personnel shall be entitled to carry a weapon in the courtrooms in Douglas County. No other person shall go armed with a dangerous weapon (including but not limited to firearms, electronic weapons, knives, or clubs) while in any courtroom. (Effective date: 06/01/18)

216: Telephonic hearings/motions.

216(1): Out-of-County Attorneys or Out-of-County Unrepresented Litigants. In cases involving out-of-county attorneys or out-of-county unrepresented litigants, (i.e. located outside of Douglas County, Wisconsin and Duluth, Minnesota), the use of telephone conferencing for scheduling and for non-evidentiary motion hearings is permitted. It shall be the responsibility of the individual(s) permitted to appear by telephone to make the arrangements to call the Court at the time of hearing. An out-of-county attorney will not be permitted to participate by telephone in an evidentiary hearing or trial. (Effective date: 06/01/07; Revised 06/01/18)

216(2): Witness Appearance by Telephone. Unless otherwise specified, a witness shall be permitted to testify by telephone at trial or any evidentiary hearing only upon prior express permission of the Court for good cause shown. In cases under Chapter 48, 51, 54 and 55 of the Wisconsin Statutes, an expert witness may testify and be examined by telephone, pursuant to Wis. Stats. §807.13(2). (Effective date: 06/01/07)

Part 3: Civil Practice:

301: Service and Answer.

301(1): Guardians ad Litem. In a personal injury action or settlement action involving a minor, neither the minor's attorney nor a member of the attorney's firm may be appointed as guardian ad litem for the minor. (Effective date: 06/01/07)

302: Scheduling.

302(1): Obtaining Motion Dates. A party filing any Motion in a civil action shall be responsible for obtaining and noticing the Motion hearing date. Failure to properly

notice the Motion shall constitute waiver of the Motion.
(Effective date: 06/01/07)

302(2): Actions Brought by the State under Wisconsin Statute §961.55. In an action brought by the State to cause the forfeiture of any property seized under Wis. Stat. §961.55, the State shall contact the assigned Court within 10 days after receiving service of an Answer and schedule a hearing date within the time limit prescribed by Wis. Stat. §961.555(2)(b). (Effective date: 06/01/18)

305: Motion Practice

305(1): 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. (Effective date: 06/01/18)

Part 4: Criminal Practice:

401: Defendant's Presence Required.

401(1): A defendant charged with a misdemeanor may authorize his or her attorney in writing to act on his or her behalf (and to be excused from attendance at court proceedings) with leave of the Court, pursuant to Wis. Stat. sec. 971.04(2). The filing of any such authorization shall be accompanied by a written statement setting forth the specific reason(s) for the request, along with a proposed Order granting the request. (Effective 06/01/18)

408: Jury and Bench Trials.

408(1): Timeliness of Guilty Pleas in Jury Trials. 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) 2 business days preceding the commencement of the trial. A party failing to comply with this rule shall be assessed the entire cost of one day's juror fees for a jury, including all mileage costs, totaling no less than \$500. (Effective date: 06/01/07; Revised 06/01/18)

408(2): Jury Instructions and Verdicts. No less than 7 days prior to the trial date, the parties shall file and exchange a list of all requested jury instructions and a proposed verdict form. All substantive jury instructions (which set forth the elements of the crime) shall be submitted in written form with all requested revisions and/or modifications. (Effective date: 06/01/18)

409: Motion Practice.

409(1): 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. (Effective date: 06/01/18)

409(2): Motion to Admit Defendant's Statements at Trial. No less than 45 days prior to the trial date, the State shall file a motion (along with a proposed Order) seeking the admission of any statements of the Defendant that the State intends to introduce at trial. The motion shall identify the specific statements with particularity. (Effective date: 06/01/18)

409(3): Challenges to the State's Motion to Admit Defendant's Statements at Trial. If the Defendant intends to challenge the admissibility of any statements sought to be admitted by the State at trial, the Defendant shall file a written objection within 20 days of the filing of the Motion by the State. The Defendant's objection shall state the legal basis for the objection. Upon the filing of an objection, the State shall notice the motion for hearing. Failure of a Defendant to timely file an objection will result in the

Court granting the State's Motion to Admit Statements without a hearing. (Effective date: 06/01/18)

409(4): Motion to Withdraw as Counsel. An attorney shall not be permitted to withdraw as counsel for a defendant without a Court hearing in any pending criminal case which has already been scheduled for trial or sentencing, or in any case in which a speedy trial demand has been made. (Effective date: 06/01/18)

410: Presentence Investigation (PSI) Reports.

410(1): Pursuant to Wis. Stats. §972.15(4m), presentence investigations are confidential. The district attorney and the defendant's attorney are entitled to have and keep a copy of the presentence investigation report. If the defendant is not represented by counsel, the defendant is entitled to view the presentence investigation report but may not keep a copy. A district attorney or defendant's attorney who receives a copy of the report shall keep it confidential. A defendant who views the contents of a presentence investigation report shall keep the information in the report confidential. If sentencing results in a prison term, a copy of the presentence investigation report and the Judgment of Conviction shall be provided to the Sheriff for delivery, along with the prisoner, to the Department of Corrections or other point of intake designated by the Department of Corrections. (Effective date: 06/01/07)

410(2): Alternate PSI Reports. If a defendant intends to submit an alternate PSI to the Court for consideration at sentencing, the report must be filed in accordance with the time requirement imposed by the Court on the Department of Corrections for filing its PSI. In addition, the preparer of the alternate PSI report must appear at the sentencing hearing for the defendant. (Effective date: 06/01/18)

Part 5: Family Law Practice:

501: Financial Disclosure Statement.

501(1): If a party's motion (or any other request for a Court Order) involves financial matters (such as child support, maintenance, payment of debt, or any other financial matter), the party filing the motion shall file a Financial Disclosure Statement no later than the day of the hearing. (Effective date: 06/01/18)

502: Mediation.

502(1): A party ordered by the Court to contact a mediator (in order to schedule mediation) who fails to comply with such Order may be responsible to pay in-full the guardian ad litem retainer. (Effective date: 06/01/18)

Part 8: Probate Practice:

803: Filing of Documents.

804: Scheduling.

805: Estates.

806: Trusts.

807: Guardianship, Conservatorship and Protective Placements.

807.01: Conservatorship.

807.02: Guardianship and Protective Placements.

807.03: Termination of Guardianship.

807.06: Watts.

808: Civil Commitments.

810: District Forms.

803: Filing of Documents.

803.01: Filing of documents.

803.01(1): All probate filings shall conform with the outlines adopted by the Tenth Judicial District. Copies of the outlines are available upon request. (Effective date: 06/01/07)

804: Scheduling.

804 (1): Petitioning parties/attorneys are responsible for scheduling hearings directly with the assigned Judge's assistant unless prior arrangements have been made through the Probate Office. (Effective date: 06/01/07)

804 (2): Hearings on Informal Administration are scheduled before the Register in Probate. (Effective date: 06/01/07; Revised 06/01/18)

805: Estates.

805 (1): It is the responsibility of a petitioning party to deliver the Notice to Creditors to the proper newspaper for publication. (Effective date: 06/01/07)

805(2): Selection of Personal Representative. Only Wisconsin residents may be appointed as personal representative of an estate, with the following exceptions: a non-resident may be appointed at the discretion of the Court if the non-resident has retained a Wisconsin attorney or posts bond in an amount determined by the Court. All non-resident personal representatives are required to have a resident agent. (Effective 06/01/18)

805.01: Wills.

805.01(1): Only original Wills shall be accepted for filing with the Court without a hearing. Wills of a decedent which will not be subject to any probate proceedings may be filed and shall be accompanied by an Affidavit of no probate. In an Informal Administration, if the heirs cannot locate the original Will but agree that the copy they possess is the Last Will and Testament of the decedent, an Affidavit must be submitted

by all interested persons indicating that they believe the copy of the Will is the decedent's Last Will and Testament and the Affidavit must accompany a copy of the Will at the time of filing. (Effective date: 06/01/07; Revised 06/01/18)

805.01(2): Wills of living persons filed for safekeeping shall be accompanied by the statutory fee and such other information as the Register in Probate may require. (Effective date: 06/01/18)

805.07: Objection to Claims Filed.

805.07(1): Late claims. If a claim is received by the Probate Office after the last date for filing, the Probate Office shall accept the claim for filing. (Effective date: 06/01/07; Revised 06/01/18)

805.07(2): Disputed Claims. If a claim is disputed, the petitioning attorney shall schedule a hearing on the disputed claim before the Judge. No informal probate will close if there are outstanding claims. (Effective date: 06/01/07; Revised 06/01/18)

805.11: Extensions of Time to Closing Estates.

805.11(1): When an estate cannot be closed within the statutory time limits, a verified petition setting forth the reasons for the request of an extension of time to close the estate must be filed with the Court. A proposed Order also shall be submitted, and the Court will review each request individually to determine whether or not a hearing is required. (Effective date: 06/01/07; Revised 06/01/18)

805.11(2): The following reasons ordinarily will qualify for a single 6-month extension of time to close the estate, upon the filing of the required petition: (a) The federal estate tax return has been timely filed and the estate tax audit has not been completed (copy of the return must be filed with the Court); (b) The final federal and state income tax returns have been timely filed but the closing certificate for fiduciaries has not been received from the Wisconsin Department of Revenue (copy of the final return must be filed with the Court); or, (c) The estate is involved in pending litigation (case information must be provided). All other grounds for extension of time to close the estate will be reviewed and considered by the Court. The register in Probate shall notify the Court if any duty is more than 30 days late in being performed. (Effective date: 06/01/18)

805.15: Summary Settlements and Summary Assignments

805.15(1): Proof of Heirship. Proof of heirship must be filed with all opening documents for summary settlement and summary assignment. (Effective date: 06/01/18)

805.15(2): Hearing or Waiver of Hearing. Other than hearings offering a Will for probate and on final account in formal probates, and final hearings on summary assignment and summary settlement proceedings, a Court hearing is not required when waivers are filed by interested parties. Parties shall submit proposed Orders with the waivers when no hearing is sought. (Effective date: 06/01/18)

807: Guardianship, Conservatorship, and Protective Placements.

807.01 Conservatorship

807.01(1): A hearing is required for the appointment of a conservator, and the petitioner shall be present so the Court may determine whether the action is voluntary. (Effective date: 06/01/18)

807.01(2): A hearing is required to terminate a conservatorship. (Effective date: 06/01/18)

807.02: Guardianship and Protective Placement Actions.

807.02(1): A guardian ad litem shall be appointed for all temporary and permanent guardianships. The Corporation Counsel is responsible for immediately notifying the Register in Probate that a guardian ad litem needs to be retained for a temporary or permanent guardianship filed by the County. The Probate Office is not responsible for seeking a guardian ad litem for petitions brought by a private attorney or an unrepresented party. (Effective date: 06/01/07; Revised 06/01/18)

807.02(2): If a guardian ad litem is appointed through the Probate Office, the attorney's fees for such services shall be paid by the County. Depending on the assets of the ward, the County may seek reimbursement for such fees from the ward's assets. (Effective date: 06/01/07)

807.02(3): Unless previously ordered by the Court, the guardian must petition the Court for any fees

and/or reimbursement of expenses.
(Effective date: 06/01/07)

807.02(4): Parties shall provide their own examining expert to prepare a competency report on the proposed ward. (Effective date: 06/01/18)

807.02(5): If a protective placement petition is part of a guardianship petition, the moving party shall (at the time of filing the petition) request that the Douglas County Department of Health and Human Services complete a comprehensive evaluation of the proposed ward and file it with the Court prior to the hearing. (Effective date: 06/01/18)

807.02 (6): Access to the File. After the guardianship has been ordered, access to the file is limited to the guardian, the ward, the ward's attorney, the currently-appointed guardian ad litem or advocate counsel (or the currently-assigned social worker), and the Corporation Counsel. Others may obtain access, subject to necessary limitations, by Court approval only. In all cases, information shall be requested on a proper letterhead and with proper identification, and in no case shall information be provided over the phone. (Effective date: 06/01/18)

807.03: Termination of Guardianship Proceedings.

807.03(1): Guardian of the Person/ Deceased Ward. Upon notification from the guardian or social worker, the Judge ordinarily will issue an Order of Discharge of the guardian of the person. (Effective date: 06/01/18)

807.03(2): Guardian of the Estate/ Deceased Ward. Upon the filing of the final account as

approved by the Court and a proper receipt and release signed by the appropriate recipient having authority over the ward's estate, the judge will ordinarily issue an Order of Discharge of the guardian of the estate. (Effective date: 06/01/18)

807.03(3): Guardian of the Estate/ Minor. Upon the filing of proof of the ward reaching the age of 18, the final account, and the release and release signed by the ward, the Court ordinarily will issue an Order of Discharge of the guardian of the estate. (Effective date: 06/01/18)

807.03(4): Ward Now Competent. A court hearing is required when an incompetent person has gained competency. (Effective date: 06/01/18)

807.06: Watts.

807.06(1): Watts Summary hearings are scheduled on Wednesdays at 1:15 p.m. unless changed by the Court. The Watts review process shall begin with the filing of the Petition for Annual Review by the Department of Health and Human Services. Upon receipt of the Petition for Annual Review, the Probate office shall appoint a guardian ad litem, schedule the hearing and provide notice to all interested persons. If an objection is received, the hearing time for the Watts Summary hearing shall be used as a scheduling conference to schedule a full due process hearing. (Effective date: 06/01/07; Revised 06/01/18)

807.06(2): All proposed Orders continuing protective placement or the administration of

psychotropic medication shall be prepared by the Corporation Counsel and submitted to the Judge prior to the hearing. (Effective date: 06/01/18)

808: Civil Commitments.

808.01: Commencement.

808.01(1): Once a civil commitment matter originates, the Corporation Counsel shall notify the Public Defenders Office immediately that an attorney needs to be appointed and will distribute paperwork upon filing. (Effective date: 06/01/07; Revised 06/01/18)

808.02: Scheduling.

808.02(1): All hearing dates shall be obtained through the Circuit Court Commissioner for probable cause hearings or the Circuit Court Judge's office for final hearings. (Effective date: 06/01/07)

810: District Forms.

810(1): Case management forms/guidelines/checklists created by the Tenth Judicial District Registers in Probate shall be used when appropriate. (Effective date: 06/01/07)

810(2): District forms shall not take the place of standard, statewide forms created pursuant to Wis. Stats. § 758.18. (Effective date: 06/01/07)

810(3): The most current state forms should be used for filing. The forms are available from the courts' website at www.wicourts.gov. (Effective date: 06/01/07)

Part 9: Small Claims Practice:

901: Service.

901.01: Alternatives for Service of Summons and Complaint in Small Claims Actions. The service of the Summons in small claims cases, except in eviction and replevin actions, may be by regular mail (in lieu of personal or substituted service), pursuant to the requirements of Wis. Stats. §799.12(3). See Wis. Stats. §799.12(2). (Effective date: 06/01/07; Revised 06/01/18)

902: Appearance.

902(1): Appearance in Small Claims Actions (Except Evictions). Except for eviction actions, a defendant may contest any small claims action without appearing on the initial return date by delivering a written Answer to the Clerk of Courts no later than noon of the weekday preceding the scheduled return date. See Wis. Stats. §799.22(4). The Answer shall state in plain simple language the basis for contesting the lawsuit. The defendant must also provide a copy of any such Answer to the plaintiff (or the plaintiff's attorney) prior to the return date. However, if a defendant's written Answer does not raise a material issue of fact or a legal defense to the plaintiff's lawsuit, the Court may grant judgment in favor of the plaintiff at the initial return date. (Effective date: 06/01/07; Revised 06/01/18)

902(2): Appearance in Small Claims Eviction Actions. In eviction actions, all parties (including landlords and tenants) must personally appear at the initial return date (even if the defendant files a written Answer prior to the return date) if the defendant objects to the eviction or other relief requested in the lawsuit. However, a defendant is not required to appear if that party does not object to the granting of the eviction and other relief requested. (Effective date: 06/01/07)


Part 10: Traffic/Forfeiture Practice:

1001(1): Motion to Reopen Default Judgments in Traffic or Forfeiture Cases. A motion requesting that a Default Judgment be vacated and reopened for further proceedings shall be accompanied by a non-refundable motion fee in an amount determined by the Courts (to be paid to the Clerk of Courts), pursuant to Wis. Stat. §814.07. (Effective date: 06/01/18)

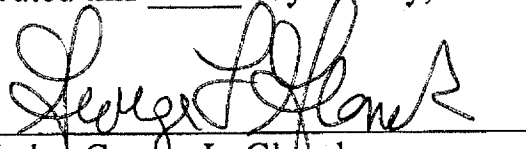
ADOPTION AND APPROVAL OF LOCAL COURT RULES

Pursuant to Wis. Stats. §753.35(1), the above 10th Judicial District Local Court Rules (Douglas County) and the respective effective dates of each Rule are hereby adopted by Circuit Court Judge Kelly Thimm (Branch I) and Circuit Court Judge George L. Glonek (Branch II), subject to approval by the Chief Judge of the judicial administrative district, and the Local Court Rules contained herein shall remain in full force and effect until otherwise amended.

Dated this 30th day of May, 2018. Dated this 30 day of May, 2018.



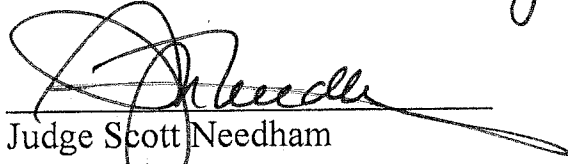
Judge Kelly Thimm
Circuit Court Judge, Branch I



Judge George L. Glonek
Circuit Court Judge, Branch II

The above 10th Judicial District Local Court Rules (Douglas County) are hereby approved.

Dated this 30th day of May, 2018.

A handwritten signature in black ink, appearing to read "S. Needham", written over a horizontal line.

Judge Scott Needham
Chief Judge
10th Judicial District

In Re the Appearance of:

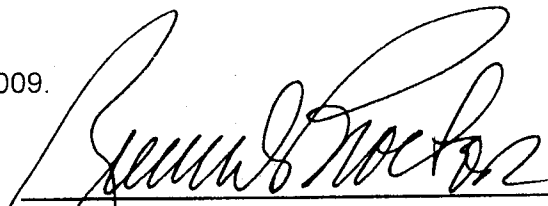
DISTRICT RULE

UNLICENSED OUT-OF-STATE LAWYERS

The following rule is hereby adopted and applies to all non-resident lawyers who are not licensed to practice law within the State of Wisconsin, but who wish to appear before any Circuit Court within the Tenth Judicial Administrative District.

1. A non-resident lawyer who is not licensed to practice law in the State of Wisconsin and wishes to appear in any action in any Circuit Court within the Tenth Judicial Administrative District must petition the Circuit Court in writing.
2. The Affidavit supporting the Petition shall include, or be accompanied by, the following:
 - a. The name of the active member of the Wisconsin State Bar who will participate with the non-resident lawyer.
 - b. A copy of the signed Office of Lawyer Regulation Application for Admission Pro Hoc Vice form (which can be found at <http://www.wicourts.00viservices/attorney/prohacvice.htm#3>).
 - c. Proof of payment of the \$50 application fee.
3. If the Circuit Court grants the petition:
 - a. The active member of the Wisconsin State Bar shall appear in person at all proceedings held on the record, including those held out of court, such as depositions.
 - b. The active member of the Wisconsin State Bar shall review all pleadings, motions and other papers to be filed with the Circuit Court. Both the non-resident lawyer and the active member of the Wisconsin State Bar shall sign all pleadings and motions.
4. Wisconsin Supreme Court Rule 10.03(4) shall be strictly enforced.
5. The non-resident lawyer is subject to disciplinary authority of this State for conduct that occurs in connection with the action, pursuant to Wisconsin Supreme Court Rule 20:8.5.

Dated this 13th day of January, 2009.



Honorable Benjamin D. Proctor
Chief Judge