
IN RE THE AMENDMENT OF THE
SAUK COUNTY CIRCUIT COURT RULES

FILED

AUG 14 2015

Sauk Co. WI Circuit Court

IT IS ORDERED that the Sauk County Circuit Court Rules be amended as follows:

Rule 6 – Lawyers Not Members of the State Bar of Wisconsin (Pro Hac Vice)

1. Rules 6.01 – 6.04 are repealed and Rule 6.01 is recreated to read:

Rule 6.01 – Lawyers Not Admitted to the State Bar of Wisconsin (Pro Hac Vice)

All attorneys who are not admitted to the State Bar of Wisconsin shall fully comply with all requirements of the Supreme Court Rules before providing legal services or appearing in the Sauk County Circuit Court.

Rule 8 – Family Law Practice

1. Rule 8.04, Rule 8.05 and 8.06 are created to read:

8.04 Motions for De Novo Hearings

All motions for de novo hearings pursuant to § 767.17 from a decision of the Family Court Commissioner must be filed within 20 days of the date of the decision or within 20 days of date of the mailing of the decision, whichever is later. Any decision entered by the Family Court Commissioner remains in effect until an order has been entered by the judge following the *de novo* hearing.

8.05 Conduct of De Novo Hearings

Prejudgment de novo hearings shall be conducted in summary fashion (off the record) unless otherwise ordered by the presiding judge. Post-judgment de novo hearings shall be conducted as full evidentiary hearings.

8.06 Failure to Appear at Temporary Hearing/Right to Rehearing

A party failing to appear at a temporary hearing before the Family Court Commissioner shall not be entitled to a de novo hearing before the presiding judge. A party failing to appear for a temporary hearing may request a rehearing before the Family Court Commissioner if the Family Court Commissioner determines that there was "excusable neglect" for the nonappearance.

A party requesting a rehearing based upon excusable neglect shall make such request in writing with notice to the other party within 30 days of the date of the original hearing, or within 15 days of the date the order resulting from the hearing was signed, whichever is longer. Upon receipt of a timely written request, the Family Court Commissioner shall either: (1) rule outright on the request; (2) solicit a written response from the opposing party before ruling; and/or (3) schedule a hearing on the request. If, following any hearing conducted, the Family Court Commissioner determines that excusable neglect has been demonstrated, a hearing on the merits of the original motion shall follow immediately unless the other party requests a continuance. Such continuance requests shall be liberally granted.

If the Family Court Commissioner determines that there was no excusable neglect for the nonappearance, the initial decision shall stand.

Any written request for the review of the "non excusable neglect" determination by the Family Court Commissioner must be made to the assigned circuit court judge within 20 days of the determination by the Family Court Commissioner. All such requests must set forth with specificity the reasons for the nonappearance. If the presiding judge reverses the Family Court Commissioner determination of excusable neglect, the matter shall be scheduled for further hearing before the Family Court Commissioner within thirty (30) days of the circuit court determination.

Rule 9 – Small Claims Practice

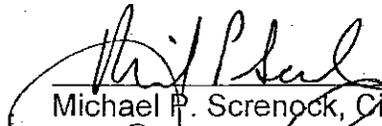
1. **Rule 9.02 (a) – (d) Service of Summons** is repealed and recreated to read:

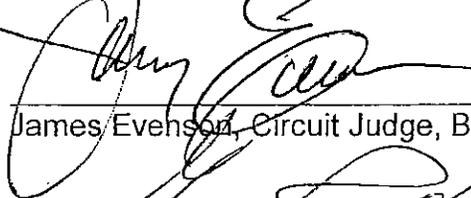
9.02. Service of Summons. Service of a summons in all small claims cases shall be by personal or substituted service as provided in sec. 801.11, Wisconsin Statutes.

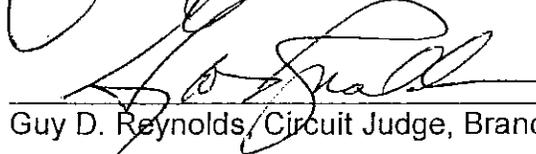
IT IS FURTHER ORDERED that the amendments to the above rules are adopted on an interim basis as emergency rules pursuant to section 753.35(1), Wisconsin Statutes and shall be effective upon the date of approval by the Chief Judge of the Sixth Judicial District of Wisconsin. After approval by the Chief Judge copies of these rules shall be posted for public view in the Sauk County Courthouse by the Clerk of Circuit Court for a period of thirty days and copies shall be forwarded to the president and secretary of the Sauk County Bar Association, the court administrator for the Sixth Judicial District of Wisconsin, the State Bar of Wisconsin, the state law library and the office of the director of state courts.

Adopted this 21 day of July, 2015

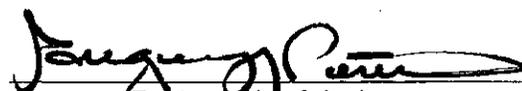
BY THE COURT:


Michael P. Screnock, Circuit Judge, Branch 1


James Evenson, Circuit Judge, Branch 2


Guy D. Reynolds, Circuit Judge, Branch 3

Approved this 6 day of August, 2015


Gregory Potter, Chief Judge
Sixth Judicial District of Wisconsin