



Supreme Court of Wisconsin

OFFICE OF COURT COMMISSIONERS

110 E. MAIN STREET, SUITE 440

MADISON, WISCONSIN 53703

Nancy A. Kopp
David W. Runke
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Commissioners

Telephone (608) 266-7442

October 31, 2023

To: Interested Persons – See Attached List

Re: Rule Petition 23-05, In the Matter of proposed rules relating to appellate court proceedings from orders entered pursuant to Wis. Stat. § 971.14 regarding pretrial competency rulings in criminal cases.

Greetings:

I am assisting the Wisconsin Supreme Court with its consideration of rule petition 23-05, filed on October 12, 2023, by the Wisconsin Judicial Council, William C. Gleisner, III, Chairperson, and its Appellate Procedure Committee, Hon. Thomas M. Hruz, Chairperson. This rule petition asks the court to create Wis. Stat. § (Rule) 809.109 and amend Wis. Stat. §§ (Rules) 809.10(1)(d) and 809.801(5)(c) to establish an expedited appeals procedure from orders entered pursuant to Wis. Stat. § 971.14, which governs competency proceedings in criminal cases.

You have received this letter because you or your agency or organization potentially have an interest in this matter. A copy of the petition can be found on the court's website at <https://www.wicourts.gov/scrules/pending/2305.htm>.

The court has voted to obtain written comments and schedule a public hearing at a date to be determined. Please note, the court may take any action on a rule petition it deems appropriate, including any of the following:

- (a) Adopt the rule proposed, or a modified version, without further comment.
- (b) Reject the rule proposed without further comment.
- (c) Schedule the rule petition for public hearing.
- (d) Refer the rule petition to another entity for its review and recommendation.
- (e) Request further information or analysis from the petitioner or interested persons or entities.

Any comment to the rule petition should be filed by Tuesday, November 28, 2023, with the Clerk of Supreme Court, Attention: Deputy Clerk-Rules, P.O. Box 1688, Madison, WI 53701-1688. If possible, email a Microsoft Word version of your response to clerk@wicourts.gov. See comment guidelines at the court's website at <https://www.wicourts.gov/scrules/process.htm>. The petitioner may file a response to the comments by Tuesday, December 12, 2023.

You might wish to consult the court's website at <https://www.wicourts.gov/scrules/index.htm> to follow this rule petition. Court communications on the petition and any written comments filed with the clerk's office will be posted on the website.

If you have specific questions or other comments regarding this matter, please contact me by mail at P.O. Box 1688, Madison, WI 53701-1688, by telephone at 608-261-6642, or by email at tim.barber@wicourts.gov.

Very truly yours,

/s/

Timothy M. Barber

Supreme Court Commissioner

cc: Chief Justice Annette Kingsland Ziegler
Justice Ann Walsh Bradley
Justice Rebecca Grassl Bradley
Justice Rebecca Frank Dallet
Justice Brian Hagedorn
Justice Jill J. Karofsky
Justice Janet C. Protasiewicz
William C. Gleisner, III, Wisconsin Judicial Council
Hon. Thomas M. Hruz, Appellate Procedure Committee

List of Interested Persons for Supreme Court Rules

Badger State Sheriffs' Association, Attention: Executive Director
Board of Administrative Oversight, Attention: Denis Donohoe, Chair
Board of Bar Examiners
Chief Circuit Court Judges
Circuit Court Judges
Clerk of Supreme Court and Court of Appeals, Samuel A. Christensen
Court of Appeals, Attention: Chief Staff Attorney
Court of Appeals Judges
Court Operations: Holly Szablewski, Deputy Director of State Courts, Court Operations
Court Operations: Ann Olson, Krista Miller, Amber Peterson, Trent Koerner, Meg Sternitzky
Department of Administration, State Prosecutors Office, Attention: Kasey Deiss, Director
Interim Director of State Courts, Honorable Audrey K. Skwierawski
District Court Administrators
Eastern District of Wisconsin Bar Association, Attention: Katy Borowski, Executive Director
Hamilton Consulting Group, Attention: Rebecca Hogan, R.J. Pirlot, Adam Jordahl
Legal Action of Wisconsin, Attention: Deedee Peterson, Executive Director
Legal Aid Society of Milwaukee, Attention: Colleen Foley, Executive Director
Marquette University Law School, Attention: Joseph D. Kearney, Dean
Office of Lawyer Regulation, Attention: Timothy Samuelson, Director
Office of State Public Defender, Attention: Katie York
Office of State Public Defender, Attention: Jeremy C. Perri
Office of the Attorney General, Attention: Josh L. Kaul
Preliminary Review Committee, Attention: Barry Boline, Chair
State Bar of Wisconsin, Attention: Larry Martin, Executive Director; Lisa Roys, Public Affairs
Director; Dean Dietrich, President; Margaret Hickey, Past-President; Jane Bucher,
President-Elect
University of Wisconsin Law School, Attention: Daniel Tokaji, Dean; Myra Sun, Exec. Asst.
Western District Bar Association of Wisconsin, Attention: Winn S. Collins
Wisconsin Asian American Bar Association, Attention: Julius Kim, President
Wisconsin Association for Justice, Attention: Bryan Roessler, Executive Director; Jim Rogers,
Government Affairs Director
Wisconsin Association of African American Lawyers
Wisconsin Association of Criminal Defense Lawyers, Attention: Peter McKeever
Wisconsin Association of Judicial Court Commissioners, Attention: Susan Schaubel
Wisconsin Bankers Association, Attention: Kris Cleven, Vice President-Legal
Wisconsin Clerks of Circuit Court Association, Attention: Regina Kolbow, Stacy Kleist
Wisconsin Counties Association, Attention: Marcie Rainbolt
Wisconsin Defense Counsel, Attention: Jenni Kilpatrick, Executive Director; Andrew Hebl,
President
Wisconsin District Attorneys Association, Attention: Greta Mattison, Executive Director
Wisconsin Family Court Commissioners Association, Attention: David Pruhs, Deputy Family
Court Commissioner; Lisa Krueger, Family Court Commissioner; Elizabeth Pfeuffer,
Family Court Commissioner; Peggy Miller, Family Court Commissioner
Wisconsin Hispanic Lawyers Association, Attention: Pamela M. Ritger
Wisconsin Judicare, Inc., Attention: Beth Ann Richlen, Executive Director
Wisconsin Judicial Commission, Attention: Jeremiah VanHecke
Wisconsin Judicial Council, Attention: William C. Gleisner, III, Chair
Wisconsin Judicial Council, Appellate Procedure Committee, Attention: Hon. Thomas M. Hruz,
Chair
Wisconsin Juvenile Court Clerks Association, Attention: Lisa Milella

Wisconsin Municipal Judges Association, Attention: Honorable Robert Kupfer
Wisconsin Newspaper Association, Attention: Beth Bennett, Executive Director
Wisconsin Registers in Probate Association
Wisconsin Sheriffs & Deputy Sheriffs Association, Attention: Sandy Schueller
Wisconsin State Attorneys Association, Attention: John Gelhard
Wisconsin Trial Judges Association, Attention: Honorable Gregory Gill, Jr.
Wisconsin Tribal Judges Association, Attention: Honorable Gwendolyn Topping, President

List of additional interested persons

Disability Rights Wisconsin
State Bar of Wisconsin Appellate Practice Section, Attention: Matthew S. Pinix, Chair
State Bar of Wisconsin Criminal Law Section, Attention: Nicholas Paul Grode, Chair
State Bar of Wisconsin Litigation Section, Attention: Eric J. Ryberg, Chair
Wisconsin Court Reporter's Association