SUPREME COURT OF WISCONSIN

IN RE THE MATTER OF EMERGENCY PROCEDURES FOR THE WITNESSING OF WILLS, CODICILS, POWERS OF ATTORNEY FOR HEALTH CARE, AND DECLARATIONS TO HEALTH CARE PROFESSIONALS DURING THE COVID-19 PANDEMIC

FILED

MAY 4, 2020

Sheila T. Reiff
Clerk of Supreme Court
Madison, WI

You are hereby notified that the court has issued the following order.

On April 28, 2020, the Wisconsin State Bar Real Property, Probate, and Trust Law Section filed an emergency request for a temporary order that would permit remote witnessing of certain estate planning documents in light of the COVID-19 pandemic. The petition asks the court to exercise its administrative and superintending authority over the courts and judicial system of this state "to provide interpretive guidance promoting uniformity in the administration of such estate planning documents within the state's judicial system by temporarily allowing for witnessing of Wills, Codicils, Powers of Attorney for Health Care, and Declarations to Health Care Professionals via audio-video communication during the public health emergency."

The court is mindful of the challenges faced by those seeking to complete estate planning documents during the current health crisis. However, after careful consideration, the court has concluded that even with the safeguards proposed by the petitioner, deciding whether the statutes allow remote witnessing is a complicated task, better undertaken in the context of a case or controversy than in an emergency request for temporary guidance.

IT IS ORDERED, that the petition is denied.