SUPREME COURT OF WISCONSIN

IN RE THE MATTER
OF APPELLATE COURT OPERATIONS
DURING THE COVID-19 PANDEMIC:
SUPPLEMENTAL ORDER REGARDING NOTICES OF APPEARANCE, MOTIONS, AND RESPONSES TO MOTIONS

FILED

APR 8, 2020

Sheila T. Reiff
Clerk of Supreme Court
Madison, WI

By temporary administrative order dated April 2, 2020, this court extended its March 17, 2020 temporary administrative order modifying certain procedures of the appellate courts of this state to ensure that the essential operations of the appellate courts continue in an appropriate manner during the present public health emergency. As set forth in that order, the appellate courts are expanding remote working capabilities and are reducing the number of employees in the physical offices of the courts. This temporary administrative order supplements the order dated April 2, 2020, and provides an additional method of filing for notices of appearance, motions, and responses to motions in the Supreme Court and the Court of Appeals. Therefore,

IT IS ORDERED that through May 22, 2020 (inclusive), notices of appearance, motions, and responses to motions filed in the Court of Appeals or the Supreme Court may be filed electronically in pdf format, as attachments to emails directed to clerk@wicourts.gov. Notices of appearance, motions, and responses to motions that are filed via email pursuant to this order shall be deemed filed at the time the email is received by the Clerk's office. (Notices of appearance, motions, and responses to motions that are received after 5:00 p.m. shall be deemed filed as of the next business day.) The Clerk's office will also continue to accept paper copies of notices of appearance, motions, and responses to motions that are filed by mail or physically filed at the office of the Clerk. In order to protect the public and the staff of the Clerk's office, only one person at a time shall be allowed to enter the physical office of the Clerk and the person shall follow the directions of the Clerk's staff as to the procedure for filing documents. Appellate filings other than notices of appearance, motions, and responses to motions shall continue to be filed in the usual manner, subject to this court's order dated April 2, 2020. Parties are reminded that, consistent with the terms of our prior orders, non-emergency motions to the Court of Appeals or the Supreme Court on or before May 22, 2020 (inclusive), are **discouraged**. If a party truly requires immediate emergency relief from the Court of Appeals or the Supreme Court, the party shall identify their motion with the word "EMERGENCY" on the face of the document and in the subject line of the email to the clerk's office. The Supreme Court and Court of Appeals shall retain discretion to determine whether the motion represents an emergency sufficient to require immediate action by the court; and

During the duration of this order, the requirement of filing multiple paper copies is waived for notices of appearance, motions, and responses to motions. For notices of appearance, motions, and responses to motions that are filed via email pursuant to this order, the filing party shall, within three (3) business days of the date of the email, place in the mail addressed to the Clerk's office or deliver to the Clerk's office the paper original and one paper copy of the notice of appearance,

motion, or response to a motion. In addition to placing the case caption and case number at the top of the first page, the paper original and paper copy of any notice of appearance, motion, or response to a motion filed via email shall contain the following clearly visible notation on the top of its first page: "THIS DOCUMENT WAS PREVIOUSLY FILED VIA EMAIL." If the filer wants an authenticated and conformed copy returned to the filer, an additional copy should be included together with a self-addressed, stamped envelope. However, a delay in returning a paper file-stamped document should be expected. Service requirements remain in effect; and

IT IS FURTHER ORDERED that through May 22, 2020, the appellate courts may serve by only electronic mail (email) orders on circuit court clerks, circuit court judges, counsel of record, or self-represented persons who have provided an electronic mail address; and

IT IS FURTHER ORDERED that the provisions of this order shall be subject to further modification or extension by future orders of the Supreme Court. In addition, the Court of Appeals may issue separate orders addressing the handling of matters pending in that court; and

IT IS FURTHER ORDERED that the State Bar of Wisconsin shall take all reasonable steps to notify its members of the contents of this order.