SUPREME COURT OF WISCONSIN

IN RE THE MATTER OF
JUDICIAL EDUCATION
DURING THE COVID-19 PANDEMIC

FILED

APRIL 3, 2020

Sheila T. Reiff
Clerk of Supreme Court
Madison, WI

The Wisconsin Supreme Court recognizes that the public health emergency caused as a result of the COVID-19 pandemic may affect the ability of persons subject to judicial education requirements to complete mandatory judicial education required by Supreme Court Rules, (SCR) Chapters 32, 33, or 75. In a closed administrative conference on March 23, 2020, the court concluded that certain judicial education requirements will be temporarily modified in light of the cancellation and postponement of several judicial education programs. Therefore,

IT IS ORDERED:

1. Annual Credit Requirements for All Persons Subject to Judicial Education.

Judges, supreme court commissioners, and court of appeals staff attorneys are required to earn no less than 5 credits at an in-state educational activity each year. SCR 32.05. Municipal court judges are required to earn at least 4 credits in each calendar year at a municipal judge orientation institute. SCR 33.04. Circuit court commissioners authorized to perform their duties on a temporary or occasional basis are required to earn not less than 3 education credits in any year in which the performance of those duties requires 40 or more hours. SCR 75.05(3).

With the exception of municipal court judges, the annual credit requirements for these individuals, required to be accrued on or before December 31, 2020, are waived, provided, however that individuals subject to judicial education requirements are still required to obtain the

full number of required credits by the close of their reporting period (e.g., 60 credits for judges, circuit court commissioners, supreme court commissioners, and court of appeals staff attorneys).

Extensions of time for municipal court judges to earn their annual 4 judicial credits will be determined by the Municipal Judge Education Committee for good cause, upon request, on a case by case basis. Municipal court judges who face difficulty complying with the requirements of SCR 33.04(1), (2), or (3) as a result of the COVID-19 pandemic may seek an extension from the Municipal Judge Education Committee, for good cause, which may be submitted to the Office of Judicial Education.

2. Expiration of Judicial Education Reporting Period.

The six-year reporting period for completing judicial education requirements may be expiring for certain persons subject to judicial education requirements. SCRs 32.02(1); 75.05(2)(a). An automatic six-month extension of the reporting period is granted for all whose judicial education reporting period expires on or before July 31, 2020.

3. Inability to Complete Other Required Judicial Education.

Any person subject to judicial education requirements who is unable to complete required programs such as the Wisconsin Judicial College, the Criminal Law and Sentencing Institute, or the prison tour as a result of COVID-19 restrictions, may seek an extension from the Judicial Education Committee for good cause. SCRs 32.04; 32.09(1). Municipal court judges unable to complete the mandatory Municipal Judge Orientation Institute when next offered may seek an extension from the Municipal Judge Education Committee for good cause, which may be submitted to the Office of Judicial Education. SCRs 33.03; 33.04(1).

4. Reserve Judges.

Reserve judges are required to earn 5 credits during the calendar year immediately preceding their appointment or reappointment. SCR 32.08. Typically, reserve judges obtain these credits at the Wisconsin Judicial Conference, which is scheduled to occur on November 4-6, 2020. If the Judicial Conference is postponed, the court will revisit the question of judicial education for reserve judges. Reserve judges may, for good cause, request a waiver of their educational requirements from the director of state courts, which may be submitted to the Office of Judicial Education. SCR 32.08(3).

IT IS FURTHER ORDERED that this order is intended to be interpreted broadly for protection of the public, court staff, and judges from the risks associated with COVID-19.

IT IS FURTHER ORDERED that the provisions of this order shall be subject to further modification or extension by future orders.