

Oneida Tribe of Indians of Wisconsin Legislative Reference Office

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Memorandum

TO: Legislative Operating Committee
FROM: Lynn A. Franzmeier, Staff Attorney
DATE: February 17, 2015
RE: Rules of Appellate Procedure Amendments: Public Meeting Comment Review

On February 5, 2015, a public meeting was held regarding amendments to the Rules of Appellate Procedure (Rules). The main amendments to the Rules would allow parties to file by private mail in certain instances; require the Clerk to notify the Trial Court Clerk when an appeal is filed; increase the amount of time the Court has to hear a case; require an initial review to be performed by 3 Appellate Judges; require the Court to state reasons for denying an appeal or request for stay within 30 days of receiving the Notice of Appeal; allow the Court to permit parties to cite or discuss cases at oral argument that were not cited in a brief; allow audio recordings to be considered a record of the case; and give an Appellant 20 days from the Certification of the Record, instead of from when the Notice of Appeal is filed, to serve a brief on the Respondent and file the brief with the Court.

No public meeting comments were received on the Rules and no further amendments to the Rules are recommended at this time.

Conclusion

No public meeting comments were received on this item and it is recommended the attached resolution be forwarded to the Oneida Business Committee for consideration of adoption.