

# History of the Court System

The basic powers and framework of the court system in Wisconsin were established by Article VII of the Wisconsin Constitution when Wisconsin became a state in 1848. At that time, judicial power was vested in a supreme court, circuit courts, courts of probate, and justices of the peace. Subject to certain limitations, the legislature was granted power to establish inferior courts and municipal courts and determine their jurisdiction.

The constitution originally divided the state into five judicial circuit districts. The five judges who presided over those circuit courts were to meet at least once a year at Madison as a “Supreme Court” until the legislature established a separate court. The Wisconsin Supreme Court was instituted in 1853 with 3 members chosen in statewide elections – one was elected as chief justice and the other 2 as associate justices. In 1877, a constitutional amendment increased the number of associate justices to 4. An 1889 amendment prescribed the current practice under which all court members are elected as justices. The chief justice is selected by a majority of the justices. Since 1903, the constitution has required a court of 7 members.

Over the years, the legislature created a large number of courts with varying types of jurisdiction. As a result of numerous special laws, there was no uniformity among the counties. Different types of courts in a single county had overlapping jurisdiction, and procedure in the various courts was not the same. A number of special courts sprang up in heavily urbanized areas, such as Milwaukee County, where the judicial burden was the greatest. In addition, many municipalities established police justice courts for enforcement of local ordinances, and there were some 1,800 justices of the peace.

The 1959 Legislature enacted Chapter 315, effective January 1, 1962, which provided for the initial reorganization of the court system. The most significant feature of the reorganization was the abolition of special statutory courts (municipal, district, superior, civil, and small claims). In addition, a uniform system of jurisdiction and procedure was established for all county courts.

The 1959 law also created the machinery for smoother administration of the court system. One problem under the old system was the imbalance of caseloads from one jurisdiction to another. In some cases, the workload was not evenly distributed among the judges within the same jurisdiction. To correct this, the chief justice of the supreme court was authorized to assign circuit and county judges to serve temporarily as needed in either type of court. The 1961 Legislature took another step to assist the chief justice in these assignments by creating the post of Administrative Director of Courts. This position has since been redefined by the supreme court and renamed the Director of State Courts. In recent years, the director has been given added administrative duties and increased staff to perform them.

The last step in the 1959 reorganization effort was the April 1966 ratification of two constitutional amendments that abolished the justices of the peace and permitted municipal courts. At this point the Wisconsin system of courts consisted of the supreme court, circuit courts, county courts, and municipal courts.

In April 1977, the court of appeals was authorized when the voters ratified an amendment to Article VII, Section 2, of the Wisconsin Constitution, which outlined the current structure of the state courts:

The judicial power of this state shall be vested in a unified court system consisting of one supreme court, a court of appeals, a circuit court, such trial courts of general uniform state wide jurisdiction as the legislature may create by law, and a municipal court if authorized by the legislature under section 14.

In June 1978, the legislature implemented the constitutional amendment by enacting Chapter 449, Laws of 1977, which added the court of appeals to the system and eliminated county courts. Following a 1977-78 reorganization of the Wisconsin court system, the circuit court became the “single level” trial court for the state.

## Responsibility

The circuit court is the trial court of general jurisdiction in Wisconsin. It has original jurisdiction in both civil and criminal matters unless exclusive jurisdiction is given to another court. It also reviews state agency decisions and hears appeals from municipal courts. Jury trials are conducted only in circuit courts.

The constitution requires that a circuit be bounded by county lines. As a result, each circuit consists of a single county, except for 3 two-county circuits (Buffalo-Pepin, Florence-Forest, and Menominee-Shawano). Where judicial caseloads are heavy, a circuit may have several branches, each with an elected judge.

## Organization

Circuit judges, who serve 6-year terms, are elected on a nonpartisan basis in the county in which they serve in the April election and take office the following August 1. The governor may fill circuit court vacancies by appointment, and the appointees serve until a successor is elected. The state pays the salaries of circuit judges and court reporters. It also covers some of the expenses for interpreters, guardians ad litem, judicial assistants, court-appointed witnesses, and jury per diems. Counties bear the remaining expenses for operating the circuit courts.

# Winnegabo Courts

## • **Branch 1:**

○ Judge Teresa Basiliere	8/01/18	to	present
○ Judge Thomas J. Gritton	8/1/2000	to	2018
○ Judge William E. Crane	1966	to	2000
○ Judge Arnold J. Cain	1964	to	1966
○ Judge Helmuth F. Arps	1947	to	1963
○ Judge Henry P. Hughes	1937	to	1947
○ Judge Fred Beglinger	1922	to	1937
○ Judge Wilbur E. Hurlbutt	1922	to	1922
○ Judge George W. Burnell	1884	to	1921
○ Judge D.J. Pulling	1872	to	1884
○ Judge G.W. Washburn	1864	to	1872
○ Judge Edwin Wheeler	1861	to	1864
○ Judge S.R. Cotton	1856	to	1861
○ Judge James R. Doolittle	1851	to	1856
○ Judge Alexander W. Stowe	1848	to	1851
○ Judge A.G. Miller	1/12/1848	to	1848

## • **Branch 2:**

○ Judge Scott C. Woldt	1/26/2004	to	present
○ Judge Robert A. Haase	1982	to	2004
○ Judge Edmund P. Arpin	1970	to	1982

## • **Branch 3:**

○ Judge Barbara H. Key	8/01/1998	to	present
○ Judge Thomas S. Williams	1972	to	1998

## • **Branch 4:**

○ Judge Karen Seifert	8/01/2006	to	present
○ Judge Robert A. Hawley	1982	to	2006

- **Branch 5:**

- Judge John A. Jorgensen 8/01/2010 to present
- Judge William H. Carver 1973 to 2010

- **Branch 6:**

- Daniel J. Bissett 8/01/2011 to present
- Judge Robert A. Hawley 2010 to 2011
- Judge Bruce K. Schmidt 1991 to 2010

## County Judges

Judge W.W. Jackson	1849		
Judge Jedidiah Brown	1849	to	1852 (resigned)
Judge Dudley C. Blodgett	1852	to	1854
Judge A.P. Hodges	1857	to	1861 (resigned)
Judge G.W. Washburn	1861	to	1864
Judge Joseph B. Hamilton	1865	to	1870
Judge George Gary	1870	to	1882
Judge Joseph B. Hamilton	1882	to	1886
Judge C.D. McDonald	1890's		
Judge Silas Bullard	1910	to	1910
Judge Fred Beglinger	1912	to	1922
Judge D. E. McDonald	1922	to	1955
Judge Herbert J. Mueller	1955	to	1972
Judge James V. Sitter	1962	to	1973
Judge James G. Sarres	1962	to	1982

8/15/2017 Judge Scott C. Woldt with help from Law Clerk John Becker

(Judge Woldt retains reference materials and photos of cort house build. , See *A History of Winnebago County* 352 14 G612H)

Updated 8/01/18