

Resolution No. 63 - 01/16

Opposing Expansion to the Subpoena Process as Proposed in Wisconsin Assembly Bill 90

Moved/Sponsored by: Executive Committee

WHEREAS, Wisconsin Assembly Bill 90 proposes a wide-ranging revision of each chapter of the criminal code procedure; and,

WHEREAS, the Wisconsin Attorney General has expressed concern regarding the expedited discovery provisions that remain in the bill; the lack of adopting technology innovations such as electronic signatures, electronic filing and electronic discovery; and changes to the subpoena process that expand the ability to obtain private documents from crime victims and third parties, which could include victim service agencies; and,

WHEREAS, the expansion to the subpoena process could subject victims to uncontrolled access into their private records, such as treatment and health care records; and,


WHEREAS, the proposal would place the burden on the victim and other third parties to take legal action to protect their privacy.

NOW, THEREFORE, BE IT RESOLVED that the Walworth County Board of Supervisors hereby opposes the expansion of the subpoena process contained in Assembly Bill 90.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to forward a copy of this resolution to the Governor, assembly members and senators representing Walworth County, and the Wisconsin Counties Association.



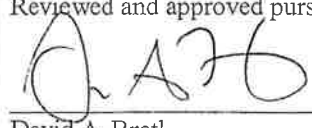
Nancy Russell
County Board Chair

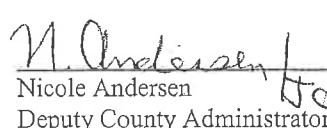


Kimberly S. Bushey
County Clerk

County Board Meeting Date: January 12, 2016

Action Required: Majority Vote X Two-thirds Vote _____ Other _____

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:
 12/21/15

David A. Bretl Date
County Administrator/Corporation Counsel
 12/23/15

Nicole Andersen Date
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator. This Resolution Ordinance was:
Adopted: Roll Call/U.C./Voice
Rejected/Referred/Laid Over
Ayes: _____ Noes: _____ Absent: _____
Date January 12, 2016

Policy and Fiscal Note
Resolution No. 63 - 01/16

- I. **Title:** Opposing Expansion to the Subpoena Process as Proposed in Wisconsin Assembly Bill 90

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to oppose the expansion of the subpoena process as proposed in Wisconsin Assembly Bill 90.

- III. **Budget and Fiscal Impact:** This is an advisory resolution and it will have no fiscal impact on the current budget.

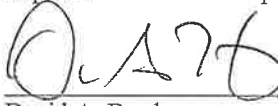
- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive Committee Meeting Date: December 14, 2015


Vote: 5 - 0

County Board Meeting Date: January 12, 2016

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

 12/21/15

David A. Bretl Date
County Administrator/Corporation Counsel

 12/23/15

Nicole Andersen Date
Deputy County Administrator – Finance

If unsigned, exceptions shall be so noted by the County Administrator.