

Index

This index does not include all possible statutory and regulatory references but refers only to those that are reprinted in this compilation.

ABSENTEE'S PROPERTY

Application for appointment of receiver, 813.23
Appointment of receiver, bond, duties, 813.23
Claim of absentee barred, 813.27
Disposition of property, 813.28, 813.29
Final hearing and finding, 813.26
Finding of death, 813.26
Finding of disappearance, 813.23
Insurance fund, 813.31
Insurance policies, 813.22, 813.30
Notice:
 Insurance death claim, 813.22
 Receivership proceedings, 813.24
Search for absentee, 813.25
Temporary receiver, 813.23 (3)
Termination of receivership, 813.28
Trust fund for, 895.42

ACCIDENTS

Emergency care, civil liability exemption for, 895.48 (1)
Horses and other equines, immunity from liability, 895.481
Ski patrol, civil liability exemption, 895.482
Snow skiing and alpine sports; duties, assumption of risk, 895.526

ACCOUNTANTS

Limitations on actions against, 893.66
Tax preparation records, disposal of when containing personal information, 134.97

ACKNOWLEDGMENTS

Authentication, 706.06
Commissioner of deeds may take, 137.02
Judges may take, 757.02
Notarial acts:
 Attestation, 137.01 (4)
 Uniform law, 706.07
Real estate conveyances:
 Acknowledged conveyance as evidence, 889.23
 Authentication, 706.06
 Conveyance not acknowledged, proof, 889.24 to 889.242
 Notarial acts, 706.07

ADMINISTRATIVE PROCEDURE

- 1. Judicial Review**
- 2. Rulemaking Procedure**

1. Judicial Review

Appeal to court of appeals, 227.58
Commencement of action, parties, petition and response, 227.53
Decisions reviewable, 227.52
Judicial notice of rules, 902.03
Pretrial procedure, 227.56
Record, 227.55
Scope of review, 227.57
Stay of proceedings, 227.54

2. Rulemaking Procedure

Publication in administrative code and register, prima facie evidence of correctness, 889.01

ADMINISTRATIVE RULES REVIEW COMMITTEE

Declaratory judgment proceedings, 806.04 (11)

AFFIDAVITS

Administering, who may, 887.01
Authentication, 706.06 (3)
Form, sufficiency, 887.03
Notarial acts, uniform law, 706.07
Oath, *see Oaths*
Unsworn foreign declarations act, 887.015

AGE

Adult defined, 990.01 (3)
Minor defined, 990.01 (20)
Proof in circuit court, 889.28

ALIENS

Enemies, limitation of actions against, 893.20

ALTERNATIVE DISPUTE RESOLUTION

See Arbitration; Mediation

ANSWER

See Pleadings

APPELLATE PROCEDURE

Generally, Ch. 808, Ch. 809

Note: This subject heading relates to rules of procedure in Wisconsin appellate courts. For appeals in specific actions, refer to the subject heading for that action.

- 1. General Provisions**
- 2. Court of Appeals**
- 3. Supreme Court**

1. General Provisions

Attorney, appointed by trial court, continue to act, 809.85
Certification of questions of law, *see Appellate Procedure—3. Supreme Court*
Circuit court actions pending appeal, 808.075
 Stay of proceedings to enforce judgment, 806.08
Civil procedure rules, applicability, 809.84
Costs and fees, 809.25
 Assessed as penalty, 809.83
Definitions, 808.01, 809.01
Delay, penalties for, 809.83 (1)
Depositions, use of, 887.18
Disposition of appeal, 808.09
 Discretionary reversal, 751.06, 752.35
 Trial court action on remittitur, 808.08
Filing and service of papers, 809.80
Frivolous appeals, costs, fees and attorney fees, 809.25 (3)
Noncompliance with rules, 809.83 (2)
Papers, form of, 809.81
Penalties, 809.83
Prisoner brought appeals, 809.103
Relief pending appeal, 808.07
 Circuit court actions, 808.075
 Motion for, 809.12
 Stay of proceedings to enforce judgment, 806.08
Remittitur, 808.08, 809.26
Sanctions, 809.83
Service and filing of papers, 809.80
Special cases:
 Abortion, parental consent waived, 809.105
 Termination of parental rights, 809.107
Time, computation and enlargement of, 809.82

2. Court of Appeals

See also Court of Appeals

Applicability of procedures rules to supreme court, 809.63
Briefs and appendix, 809.19
 Certification of case to supreme court, 809.61
 Identification of victims, 809.86
 Special cases, 809.43
 Unpublished opinions, citing as precedent, 809.23 (3)
Children's court cases, 809.30
Civil commitment and other chapter 51 cases, 809.30
Consolidation, of appeals, 809.10 (3)
Criminal appeals and postconviction relief, 809.30
 Bond, release pending postconviction relief, 809.31
 Frivolous, no merit report, 809.32
 Service of papers, 809.80 (2) (b)
Cross-appeals, 809.10 (2)
Discretionary reversal, 752.35
Docketing statements, 809.10 (1), 809.40 (3)
Expedited appeals, 809.17, 809.40 (3)
Filing requirements, 809.11
Intervention by third party, 809.13
Jurisdiction:
 Generally, 752.01
 Jurisdiction lacking, waiver, 807.07
 Mandatory, as of right, 808.03 (1)
 Matters reviewable, 809.10 (4)

 Permissive, 808.03 (2)
 Petition and memorandum, 809.50
 Relief pending appeal under 809.50 or 809.51, 809.52
 Supervisory jurisdiction and prerogative writs, procedure, 809.51
Juvenile court cases, 809.30
Motion practice, 809.14
Multiple appeals, 809.10 (2)
Municipal court and municipal ordinance violation cases, 752.31 (3), 809.40 to 809.43
Not guilty by reason of mental disease or mental defect cases, 809.30
Notice of appeal, 809.10 (1)
 Fee, 809.11 (1)
 Time to file may not be enlarged, 809.82 (2)
Oral argument, 809.22
 Waiver of, 809.42
Parental consent to abortion cases, 752.31 (3), 809.105, 809.40 to 809.43
Parental rights cases, 752.31 (3), 809.107, 809.40 to 809.43
Presubmission conference, 809.17
Protective placement cases, 809.30
Publication of opinions, 809.23
Reconsideration, 809.24
Record, composition, transmittal, 809.15
Review, matters subject to, 809.10 (4)
Sexually violent person cases, 809.30
Statement of case, in lieu of record, 809.15 (5)
Submission of cases, advancement, 809.20
Summary disposition, 809.21
Time for appeal, 808.04
Traffic regulation cases, 752.31 (3), 809.40 to 809.43
Transcript:
 Defective, 809.15 (3)
 Statement on, 809.11 (4)
Trial court clerk, powers and duties, 809.11 (2), 809.15 (4), 809.30, 809.32
Voluntary dismissal, 809.18
Writ of error, 808.02

3. Supreme Court

See also Supreme Court

Applicability of court of appeals rules to supreme court, 809.63
Briefs and appendix, 808.11
 Identification of victims and others, 809.86
Bypass of court of appeals:
 Generally, 808.05
 Certification by court of appeals, 809.61
 Party petition, 809.60
Certification of questions of law:
 Generally, *Ch. 821*
 Construction of ch. 821, 821.11
Questions from other courts:
 Arguments, 821.06
 Briefs, 821.06
 Certification order, contents, preparation, 821.03, 821.04
 Costs of certification, 821.05

Invoking, method of, 821.02
Opinion, 821.07
Power of court to answer, 821.01
Questions to courts of other states:
 Power to certify, 821.08
 Procedure, 821.09
Severability of law, 821.10
Title of ch. 821, 821.12
Jurisdiction:
 Generally, 751.05
 Court of appeals, review, 808.10, 809.62
 Jurisdiction lacking, waiver, 807.07
 Original, 809.70
 Supervisory, 809.71
Petition for review to supreme court, 808.10, 809.62
 Filing time, 808.10
Procedural rules, 809.63
Reconsideration, 809.64

ARBITRATION

Generally, Ch. 788
See also Mediation
Agreements, real estate transactions, 788.015
Alternative dispute resolution, orders, 802.12
Arbitrators, how chosen, 788.04
Awards, 788.08
 Appeal from, 788.15
 Court confirmation, 788.09
 Judgment, 788.12
 Modification, 788.11
 Notice of motion to change, etc., 788.13, 788.14
 Vacation, rehearing, 788.10
Court actions regarding:
 Court order to arbitrate, 788.03
 Court procedure, 788.05
 Jurisdiction, small claims court, 799.01, 799.06, 799.213
 Stay of court action to permit arbitration, 788.02
Depositions, 788.07
Hearings before arbitrator, 788.06

ARCHITECTS, ENGINEERS, LANDSCAPE

ARCHITECTS, DESIGNERS

Defective improvements, limitation on liability, 893.89
Surveys, statute of limitation, 893.37

ASSUMPTION OF RISK

Defense abrogated as to employees, 895.37
Recreational activity participants, 895.525
 On school grounds or in school buildings, 895.523

ATTACHMENT

Generally, Ch. 811
Assignee for court costs, 814.15
Attached property, execution after defendant's death,
 811.25
Costs and fees, 811.17
 Appraiser's fees, 814.72
Court commissioners, issuance, 757.675 (2)
Forfeiture action against nonresident, 788.02

Notice, small claims actions, 799.16 (4)
Prohibition writ, enforcement, 783.09
Witness failing to appear, 885.11, 885.12

ATTORNEY GENERAL

Contempts, complaint, issuance, 785.03 (1)
Crime victims compensation:
 Joinder, 803.03 (2) (c)
 Privilege in proceedings, 905.14
Municipal ordinance unconstitutionality alleged, right to be
 served and heard, 806.04 (11)
Quo warranto instituted by, 784.04
Service on, action against state, 801.11 (3)
State employee, claim against, notice, 893.82
State witness fees, certify, 885.07
Statute unconstitutionality alleged, right to be served and
 heard, 806.04 (11)
Taxes, action in other state to collect, 757.47

ATTORNEYS

Appellate procedure, continue to act, 809.85
Arrest, when exempt from, 757.26
Authority to satisfy judgment, 806.20 (1)
Bail or security, not to act as, 757.34
Barratry prohibited, 757.295
Blank process, to have, 757.35
Certification as to trust accounts to be filed with state bar,
 757.293 (3)
Clients' trust account required, records, 757.293
Conflict of interest, 757.22
Consent, when needed in settlement of action, 757.38
Contingency fees, lien, 757.36, 757.37
Court commissioner and judge restricted, 757.22
Delinquent support, unemployment contribution, and tax
 obligors, rules regarding practice by, 751.15, 751.155
Fee-splitting, 757.45
Fees:
 Chiropractic fees paid from contingent fee, 895.453
 Courts of record, 814.04
 Reasonableness determinations, standards, 814.045
 Guardian ad litem, 757.48
 Health care liability actions, 655.013
 Judicial misconduct and permanent disability
 proceedings, 757.99
 Lien for, 757.36 to 757.37
 Municipal court, appeal from, 814.08
 Not collected before taxation, 814.47
 Small claims actions in circuit court, 799.25
 Taxed after case settled, 814.46
 Taxpayer's action, benefit of municipality, 814.04 (8)
 Veterans, fee waiver request, 751.153
Guardian ad litem must be, exception, 757.48
Instruction and verdict conference with court, 805.13 (3)
Judges not to act as, 757.22
Legislator, entitled to court continuance, 757.13
Liability, for costs, 814.34
Lien, for fees, 757.36, 757.37
Name changes, 757.30 (4)
Notarial acts, uniform law, 706.07

Notary public, permanent commission, 137.01 (2)
Office with judge, district attorney, clerk or other officers
forbidden, 757.22
Pleadings, motion or other paper, signing, 802.05
Practicing without license, 757.30
Privilege, lawyer-client communications, 905.03
Process in blank, may have, 757.35
Service upon, 801.14 (2)
Soliciting business, penalty, 757.295
Stipulations, when binding, 807.05
Subpoenas, can issue, 805.07
Surety, not on official bond, 757.34
Trust accounts, 757.293

AUDIOVISUAL AND TELEPHONE COURT PROCEEDINGS

See Telephone and Audiovisual Proceedings

AUTHENTICATION

See also Evidence—2. Certifications as Evidence
Commissioner of deeds, 137.02
Electronic signatures, 137.19
General evidence rule, 909.01
Examples, 909.015
Notaries, 137.01
Notarial acts, uniform law, 706.07
Real estate conveyances, 706.06, 706.07
Self-authentication as to certain documents and records,
909.02
Summons, copies of, 801.09 (4)

BIRTH

Circuit court certificate, 889.28
Record as proof, 891.09

BONDS

Actions, self-incrimination, 885.24
Application for injunction, service, 813.06
Attachment, 811.03 (3), 811.07
Defendant's, 811.16
Plaintiff's, 811.06
Attorney, when not to be surety, 757.34
Cash in lieu of, civil or criminal actions, 895.346
Creditor's actions, receiver or assignee, 128.09
Default, statute of limitation for recovery, 893.90
Deposit in lieu of, 895.346
Evidence of execution, 891.35
Felon, release pending postconviction relief, 809.31
Fiduciaries, premium taxed as costs, 814.14
Garnishee:
Plaintiff executes to, 812.08
Release, 812.21
Insufficiency of surety, new bond, 895.34
New, on discharge of surety, 895.38
Notary public, 137.01 (1)

Official:

Action on:
Self-incrimination, immunity, 885.24
Statute of limitation, 893.90
Sureties liable if officer liable, 990.001 (10)
Receivers, sureties, conditions, approval, 813.16 (6)
Replevin:
Defendant's, 810.06
Justification of sureties, 810.08
Surety, how discharged, 895.38
Surety's liability, limitation, 895.33

BURDEN OF PROOF

Civil actions, jury instructions regarding, 805.13 (4)

CAPACITY

See Parties to Action; Pleadings

CERTIFICATION OF QUESTIONS OF LAW

Generally, Ch. 821
For detailed analysis, see Appellate Procedure—3. Supreme Court

CERTIFICATIONS AS EVIDENCE

See Evidence—2. Certifications as Evidence

CERTIORARI

Circuit court, 753.04
Commencement of action, 801.02 (5)
Extraordinary remedy:
As final judgment or provisional remedy, 781.01
Temporary relief, 781.02
Transmittal of record, 781.03
Municipal court, costs on appeal from, 814.08
Supreme court justice may issue, 751.07

CIRCUIT COURTS

Generally, Ch. 753

Note: *This subject head is a treatment of circuit courts generally. For the treatment of a specific subject, refer to the head for that subject.*

- 1. General Provisions**
- 2. Clerks of Court**
- 3. Court Commissioners**
- 4. Court Reporters**
- 5. Judges**

1. General Provisions

Administrative rules, review of, *see Administrative Procedure*
Branches, 753.061
Certiorari issued, served, addressee, 753.04
See also Certiorari
Circuits, 753.06
Civil Procedure, *see Civil Procedure*
Clerk, *see Circuit Courts—2. Clerks of Court*
Commissioners, *see Circuit Courts—3. Court Commissioners*

Contempt, generally, Ch. 785
For detailed analysis, see Contempt

Continuances, 753.22

Costs and fees, *see Costs and Fees*

County court judgments, preservation of, 753.077

County seat, office and records to be at, 753.26

Deposits in court:
 Order of judge as to safekeeping, 757.25
 Tender of payment on contract, record of deposits, 895.14 (5)

Files, borrowing, 807.08

Guardian ad litem, 803.01 (3)
See also Guardians ad Litem

Holidays, holding court on, 757.15

Interpreters, 807.14, 885.38

Judicial administrative districts, 757.60

Jurisdiction, generally, 753.03
For detailed analysis, see Jurisdiction

Jury, *see Juries*

Location of sessions, 753.24

Mandamus, *see Mandamus*

Menominee and Shawano counties, 753.34

Milwaukee county, 753.016, 753.06 (1)

Naturalization proceedings, 753.065

Night sessions, 753.23

Officers, attendance, pay, 753.10

Opening court, proclamation by bailiff, 753.10

Operating costs, 753.19

Pretrial procedure, *see Pretrial Practice*

Quo warranto, *see Quo Warranto and Scire Facias*

Records, *see Circuit Courts—2. Clerks of Court*

Reporter, *see Circuit Courts—4. Court Reporters*

Rock county, where records to be kept, 753.26

Rules, adoption and filing, 753.35

Saturday sessions, 753.23

Seal, county to furnish, 753.05

Small claims actions, *see Small Claims Actions*

Testimony, proceedings to be reported, 757.55
See also Circuit Courts—4. Court Reporters

Trials, *see Trials*

Venue, *see Venue*

Writs, issued by, formal requirements, 753.04

2. Clerks of Court

Appraisers, clerk not to be, 753.32

Calendar for court, printing, 757.39

Docket, *see Judgment docket and Lien docket, under this subhead*

Duties and powers, 753.30

Fee collection, *see Costs and Fees*

Filing papers, 801.16

Forms, blank process to attorneys, 757.35

Judgment docket:
 Copy of supreme court or court of appeals judgment, 806.16
 Duties, fees, liability, 806.10
 Municipal court judgments, 806.12
 Other counties, judgments from, 806.13
 Satisfaction of judgment, 806.22

Judgments, powers and duties:
 Admitted claim, 806.03
 Entry and signing on order of court, 806.06

Jurors:
See also Juries
 Drawing names for trials, 756.06
 Excuse, deferral; granting, 756.03
 Fees to be paid to clerk, 814.51
 Fraud in drawing jury, 756.30
 Lists, 756.04
 Law library, duties as to, 757.40
 Legal advice, clerk not to give, 757.22
 Lien docket, delinquent income and franchise tax warrants, 806.11, 806.115
 Milwaukee county, 753.30
 Naturalization petitions, filing, 753.065
 Notarial acts, clerk may perform, 706.07
 Powers and duties, 753.30
 Process in blank, to attorneys, 757.35

Records and files of court:
 Destruction and disposal, 757.54
 Docket, *see Judgment docket and Lien docket, under this subhead*
 Evidence, use as, *see Evidence*
 Language, abbreviations, numbers, etc., 757.18
 Loaning files, 807.08
 Location, 753.26
 Reports to other agencies, nonmarital child determination, 891.39 (3)
 Subpoenas, issue and sign, 885.01
 Summons, issuance, 756.05
 Supreme court, *see Supreme Court—2. Clerk*
 Trials and hearings, entries after verdict, 805.12 (3)

3. Court Commissioners

Circuit court commissioners:
 Appointment, oath, 757.68
 Supplemental court commissioners; appointment, oath, 757.675

Conflict of interest, 757.23

Contempt, 785.06

Definitions, 757.001

Evidence rules, applicability, 911.01 (1)

Family court commissioner office:
Generally, 757.68, 757.69

Fees, 814.68

Hearings before, 757.70

Juvenile court commissioner, 757.68 (3m)

Legal practice, fees restricted, 757.22

Liability for willful violation of law as to injunctions, receivers, 757.24

Powers and duties, 757.69

Restraining orders, ex parte, when prohibited, 813.025

Small claims matters, 799.207

Supplemental court commissioners; appointment, oath, 757.675

4. Court Reporters

Appointment, by circuit judge, 751.02

Fees, transcripts, 757.57, 814.69
Oaths, administration, 887.01
Rules regarding reporting, supreme court to set, 757.55
Salaries, 753.07 (1)
Statement of injury, not to take, 757.46
Telephone proceedings, 807.13 (4)
Temporary use of reporters, 751.025
Transcripts as evidence, 889.11

5. Judges

Arrest, liability, 757.26
Assignment by chief justice or justice, 751.03
Attorney, judge not to act as, 757.22
Conciliators, appointment and removal, 807.09
Court commissioners, appointments, 757.68
Court reporter, appointment, 751.02
Decisions, time to complete, 757.025
Expenses, reimbursement, 753.073
Family court commissioners, appointment, 757.68 (2m)
Law books, power to purchase, 757.40
Law practice restricted, 757.22
Liability for willful violation of law as to injunctions, receivers, 757.24
Oath of office, 757.02
Office, location, 753.26
Orders:
 Power to make, modify, vacate, 807.02, 807.03
 Rendering and entry, 807.11
Reserve judge, compensation, qualifications, 753.075
Salary and benefits, 753.07
 Affidavit necessary as to work done, 757.025
Substitution, 801.58
 Assigned judges, 801.59
 Small claims actions, 799.205
Term, elected judge, 753.01
Vacancies, suits not affected, 757.08

CITIES

Actions and claims against:
 Adverse possession against, 893.29
 Highway ice and snow accumulations, liability, 893.83
 Officers and employees, actions against:
 Damages, costs, liability for, 895.46
 Expenses, payment by city, 895.35
 Notice of claim, limitation of damage, 893.80
 Procedure, 893.80
 Summons, service on city, 801.11 (4)
 Recreational activities; city liability, immunity, 895.52
 Statutes of limitation:
 Generally, 893.80
 Adverse possession, 893.29
 Contracts, actions attacking, 893.75
 Highway orders contests, 893.73
 Municipal obligation contests, 893.77
 Payments on contracts, bonds, and other obligations, 893.61
 Razing or repairing buildings, sites; contesting orders, 893.76
 Special assessment contest, 893.72

CIVIL PROCEDURE

Generally, Chs. 801 to 806

See specific headings for more detail

General and miscellaneous provisions:

 Alternative dispute, 802.12

 Appeals:

 Applicability of rules of civil procedure, 809.84

 Waiver of objections to jurisdiction, 807.07

 Applicability of rules, 801.01

 Certiorari, *see Certiorari*

 Conciliation, 807.09

 Continuances, 753.22

 Costs, *see Costs and Fees*

 False testimony in prisoner litigation, penalties, 807.15

 Frivolous matters:

 Appeals or cross-appeals, costs, fees and attorney fees, 809.25 (3)

 Damages, 895.044

 Judges, disqualification, 757.19 (2) (b)

 Interpreters, 807.14, 885.37, 885.38

 Jurisdiction of court, waiver of objection, 807.07

 Lost paper or pleading, copy used, 807.06

 Malicious, harassing suits by prisoners, penalties, 807.15

 Orders:

 Power to make, modify, vacate, 807.02, 807.03

 Rendering and entry, 807.11

 Pleadings, discovery and damages in asbestos related personal injury actions, 802.025

 Proceedings, where held, 807.02, 807.04

 Realty suits, unknown owner, 807.12

 Records and files of court, borrowing, 807.08

 Remedies, civil and criminal not merged where both available, 895.28

 Settlements:

 Made on behalf of minor or ward, 807.10

 Offer of, effect, 807.01

 Special proceedings, applicability of rules, 801.01

 Stay of proceedings:

 Court commissioner authority, 807.02

 Foreign judgment, uniform enforcement act, 806.24 (4)

 Judgment, stay of enforcement, 806.08

 Judicial review of administrative orders, stay of enforcement, 227.54

 Notice requirement, 807.02

 Pending motion to modify order, 807.03

 Time excepted from limitation statute, 893.23

 Trial in foreign forum, stay to permit, 801.63

 Costs, 814.49 (2)

 Stipulations, when binding, 807.05

 Structured settlement transfers:

 Court approval, 895.67

 Definitions, 895.65

 Disclosures, mandatory, 895.66

 Effects of transfer of payment rights, 895.68

 General provisions, 895.70

 Procedure, 895.69

 Survival of actions, *see Survival of Actions*

 Telephone and audio-visual proceedings, *see Telephone and Audiovisual Proceedings*

 Time computations, 801.15

CLASS ACTIONS

Generally, 803.08

Consumer transactions, 426.110

CLERKS OF COURT

See Circuit Courts—2. Clerks of Court

COMMON LAW

Judicial notice, 902.02

Proof of, how made, 889.05

COMPLAINT

See Pleadings

CONCILIATION

See Arbitration; Mediation

CONFLICT OF LAWS

Forum, non-Wisconsin, limitations on Wisconsin cause of action, 893.15

CONFLICTS OF INTEREST

Attorneys, 757.22

Change of venue if judge disqualified, 801.56

Court commissioners, 757.23

District attorneys, 757.22

Judges, 757.19

CONTEMPT

Generally, Ch. 785

Administrative actions, 785.06

Administrative and other hearings, failure to attend, refusal to testify, 885.12

Appeal, 785.03 (3)

Confinement, orders imposing, 785.07

Court commissioners, 785.06

Court's power to punish for contempt of court, 785.02

Definitions, 785.01

Imprisonment, limitation on, 785.05

Law, practicing without license, 757.30

Municipal court, 785.06

Procedure, 785.03

Sanctions authorized, 785.04

Service of process, 801.14 (2)

Witnesses, failure to attend, attachment, punishment, 885.11, 885.12

COUNTERCLAIMS

Generally, 802.07

For detailed analysis of pleadings in civil actions, see Pleadings

COUNTIES

Actions and claims against:

Adverse possession against, 893.29

Costs, 814.23

See also Costs and Fees

Highway ice and snow accumulations, liability, 893.83

Officers and employees, actions against:

Damages, costs, 895.46

Expenses, 895.35

Notice of claim, limitation of damages, 893.80

Procedure, 893.80

Recreational activities liability, immunity, 895.52

Statutes of limitation:

Adverse possession, 893.29

Payments on contracts, bonds and other obligations, 893.61

Sheriff, coroner, medical examiners, action against, 893.70

COURT OF APPEALS

1. General Provisions

2. Judges

1. General Provisions

Generally, Ch. 752

Appeals to, permissive and of right, 808.03

Appellate procedure, *see Appellate Procedure*

Certification of questions of law to another state, 821.08

Costs of operation, state assumption, 752.61

Decisions, form, precedential value, 752.41, 809.23 (3)

Determinations, enforcement, 752.37

Discretionary reversal, 752.35

Disposition of cases, 752.31

Districts, 752.11 to 752.19

Employees, 751.02

Interpreters, 885.38

Judgments:

Docketing in circuit court, 806.16

Enforcement, 752.37

Judicial notice, 902.01 to 902.03

Jurisdiction, 752.01

Administrative headquarters, 752.05

Procedure, *see Appellate Procedure*

Publication of opinions, 809.23

Precedential value, 752.41 (2), 809.23 (3)

Referral of issues of fact, 752.39

Supervisory authority, 752.02

Three-judge panel, 809.41

Supervisory writs, petition and memorandum, 809.51

Venue, 752.21

Writ of error, may be sought, 808.02

2. Judges

Assignment by chief justice, 751.03

Attorney, judge not to act as, 757.22

Chief judge, 752.07

May order appeal to be decided by a three-judge panel, 809.41 (3)

Election, 752.04

Law practice restricted, 757.22

Number, 752.03

Number of judges to hear case, 752.31

Oath filing, form, 757.02

Reserve judges, compensation, qualifications, 753.075

Three judge or one judge panel, 752.31 (1)

COURTS

See also *Appellate Procedure*; *Circuit Courts*; *Civil Procedure*; *Court of Appeals*; *Supreme Court*

1. General Provisions

2. Costs and Fees

1. General Provisions

Adjournment to another place, 757.12
Appeals courts, see *Appellate Procedure*; *Court of Appeals*;
Supreme Court
Calendar, printing, 757.39
Certification of questions of law, generally, Ch. 821
For detailed analysis, see Appellate Procedure—
3. Supreme Court
Circuit courts, see *Circuit Courts*
Civil procedure, generally, Chs. 801 to 806
Clerk, see *Circuit Courts—2. Clerks of Court*; *Supreme Court—2. Clerk*
Contempt, generally, Ch. 785
For detailed analysis, see Contempt
Costs, see *Courts—2. Costs and Fees*
Court commissioners, see *Circuit Courts—3. Court Commissioners*
Court of appeals, see *Court of Appeals*
Court reporters, see *Circuit Courts—4. Court Reporters*
Holidays, holding court on, 757.15
Judges, see *Judges*
See also Circuit Courts—5. Judges
Judgeship, vacancy in, not to affect suits, 757.08
Jurisdiction, see *Jurisdiction*
Jurors, see *Juries*
Legislator a party or attorney, continuance, 757.13
Neglect to adjourn, harmless, 757.10
Officers, liability to arrest, 757.26
Pleadings, see *Pleadings*
Powers of court, generally, 757.01
Public sessions, 757.14, 807.04
Records and files of court:
 Borrowing files, 807.08
 Destruction and disposal, 757.54
 Evidence:
 Foreign courts, certification as evidence, 889.15, 889.16
 Municipal court transcripts, 889.13
 Received as, 889.07
 Transcript of reporter's notes, 889.11
 Indian tribal court, full faith and credit, 806.245
 Language, abbreviations, numbers, etc., 757.18
Reporters and reporting, see *Circuit Courts—4. Court Reporters*
Rules of practice, 751.12
 Citation in statutes, 990.08
Sundays, holding court on, 757.15
Supreme court, see *Supreme Court*
Venue, see *Venue*
Videoconferencing, see *Telephone and Audio-Visual Proceedings*

2. Costs and Fees

Generally, Ch. 814

Administrative proceedings, judicial review, 227.485
Appellate proceedings, 809.25, 814.64
Assignment of causes of action, assignee liability, 814.15
Attorney fees:
 See also Attorneys
 Award of, generally, 814.04
 Reasonableness determinations, standards, 814.045
 Collection, taxation required, 814.47
 Fruivolous appeals, 809.25 (3)
 Small claims actions, 799.25 (10)
Automation surcharge, 814.86
Bills of costs, 814.10
 Striking of items by court officials, 814.48
Bond premiums, 814.05
 Fiduciaries, 814.14
Certification of questions of law, 821.05
Certiorari, 814.08
Circuit court, see *Supplementary Wisconsin Circuit Court Material*
City officers, actions against, 814.24, 895.35, 895.46
Civil actions, generally, filing fees, 814.61
Consolidated actions, 814.02
Constable's fees, 814.71
 Collection, taxation required, 814.47
Contract actions, tender of payment, effect of, 895.14 (5)
Contractual, 814.02 (2)
Counterclaims, 814.035
Counties, actions by and against, 814.23
County officers, actions against, 814.23, 895.35, 895.46
Court of appeals, 809.25, 814.64
Court reporters fees, 814.69
Court support service surcharge, 814.85
Cross complaints, 814.035
Declaratory judgment proceedings, 806.04 (10)
Default judgment, 814.04 (6)
Defendant's costs, 814.03
Disbursements, 814.04 (2)
 How proved, what allowed, 814.11
Discretionary costs, 814.02, 814.036
Dismissal, lack of personal jurisdiction, 814.49 (1)
Equitable actions, 814.02
Estate, liability for, 814.14
Expert witness, 814.04 (2)
Fiduciaries, liability, 814.14
Filing fees:
 Automation surcharge, 814.86
 Civil actions generally, 814.61
 Court support service surcharge, 814.85
 Garnishment, small claims, 814.62
Forfeiture actions, 814.63
Fruivolous actions, 895.044
Fruivolous appeals, 809.25 (3)
Garnishment:
 Costs, 812.22
 Fees, 814.62
 Garnishee fees, 812.06
Guardian ad litem's compensation, 757.48

Guardians and personal representatives, liability, 814.14
 Indigent defendants, recovery of legal fees paid for, 757.66
 Indigent persons, exemption from, 814.29
 Interest, postjudgment, 814.04
 Interpreters, 814.67
 Items allowed, generally, 814.04
 Jury:
 Fees, 814.51, 814.61 (4)
 From another county, 814.22
 View, expenses, 805.08 (4)
 Mandamus, 783.04
 Motions, 814.07
 Compelling discovery, award of expenses, 804.12 (1)
 Municipal court, 814.65
 Appeal from, 814.08
 Municipal officers, actions against, 895.35, 895.46
 Notice of taxation of costs, 814.10
 Offer of settlement, effect on recovery, 807.01
 Omnibus provisions, 814.036
 Plaintiff's costs, 814.01
 Police, fees of:
 Generally, 814.71
 Collection, taxation required, 814.47
 Prisoner litigation, 814.25
 Quo warranto action, 784.13
 Records copied, not taxed for drafting, 814.19
 Referee's fees, 814.13, 814.131
 Register in probate, 814.66
 School district officers, actions against, 895.35
 Security for costs, 814.27 to 814.29
 Additional security, 814.33
 Attorney for plaintiff liable, when, 814.34
 Exemption, 814.29
 Service of process, fees for, 814.04, 814.70
 Set off between parties, 814.12
 Settlements, costs on, 814.16
 Sheriff's fees, 814.70
 Collection, taxation required, 814.47
 Small business or nonprofit corporation, state actions
 against, 814.245
 Small claims actions:
 Costs, 799.25
 Fees, 799.255, 814.62
 Special proceedings, 814.02
 State agencies, actions by, certain prevailing parties,
 814.245
 State officers, judgment against, 895.46
 Stay of proceedings to change venue, 814.49 (2)
 Supplemental court commissioners, fees, 814.68 (2)
 Supreme court, 809.25, 814.64
 Surcharges imposed:
 Generally, 814.75
 Automated information system, 814.86
 Court support services, 814.85
 Criminal actions, 814.76
 Forfeiture collection actions under chapter 778, 814.80
 Justice information system, 814.86
 Motor vehicle actions under chapter 345, 814.79
 Municipal court actions, 814.81

Natural resources forfeiture actions under chapter 23,
 814.77
 Ordinance forfeiture actions under chapter 66, 814.78
 Specific offense related surcharges:
 Court support services, 814.85
 Penalty surcharge, 757.05
 Special prosecution clerks, 814.86 (1m)
 Taxation of costs:
 Generally, 814.10
 After settlement of action, 814.46
 Compulsory reference, 814.131
 Disallowance by court officers, 814.48
 Garnishment action, 812.06
 Items allowed, 814.04
 Taxpayer's, for benefit of municipality, 814.04 (8)
 Town officers, actions against, 895.35, 895.46
 Transcripts, 814.69
 Venue change, 801.61, 814.22
 Village marshal, fees of:
 Generally, 814.71
 Collection, taxation required, 814.47
 Village officers, actions against, 895.35, 895.46
 Vocational school district officers, actions against, 895.35
 Voluntary dismissals, 805.04 (4)
 Witness fees:
 Generally, 814.67, 885.05
 Expert witnesses, 814.04 (2)
 Indigent defendant, defense witnesses, 885.10
 Indigent witness, 885.09
 Nonresident witness, 885.09
 Prepayment requirements, 885.06
 State witnesses:
 Civil action, 885.07
 Criminal action, 885.08
 Taxation required, 814.11

CREDIT AND DEBT

Creditors' actions:
 Generally, Ch. 128
 Amortization of debts, wage-earner's action for, 128.21
 Appeal:
 Adjudicated claim, 128.15
 Order settling account, 128.20
 Assignee, settlement of accounts, 128.20
 Assignment:
 Amendment, mistakes, 128.02
 Assignee's consent, 128.05
 Filing, recording, 128.05, 128.06
 Attachment, *see Attachment*
 Bond of receiver or assignee, 128.09
 Claims:
 Objections, appeals, 128.15
 Secured, 128.15
 Time for filing, 128.14
 Discovery proceedings, 128.16
 Dismissal of proceedings, 128.12
 Distribution of assets, 128.17
 Estates, heirs, legatees; recovery of estate property from,
 813.026

Garnishment, *see Garnishment*
Injunctions, 128.14
Insolvency defined, 128.001 (1)
Intervention, 128.12
Invalid liens, 128.18
Inventory of assets, 128.13
Jurisdiction of circuit court, 128.01
Liens:
 By legal proceedings, assignment, 128.03
 Ch. 128 proceedings, 128.18
List of creditors, 128.13
Meeting of creditors, 128.10
Notice of proceedings, injunction, 128.14
Order of distribution, 128.17
Partner, charging interest of, receiver, 178.24
Preferred creditors, 128.07
Provisional remedies, 128.11
Receivers, *see Receivers*
Replevin, *see Replevin*
Revenue department, notice to, 128.14 (1)
Secured creditors' dividends in liquidation proceedings, 128.25
Title to property, 128.19
Transfer of property, 128.07
 Avoidance, 128.19(2)

CROSS-CLAIM

See Pleadings

DAMAGES

Against estates, limited, 895.02
Assessment, in supreme court, 751.09
Attachment, 811.21, 811.22
Automatic teller machines, theft damage, 895.79
Comparative negligence doctrine, 895.045
 Motorcycle, snowmobile, ATV riders; no helmet, recovery not reduced, 895.049
Docketing errors, 806.10 (3)
Exclusion from public office, 784.11
False authentication, 706.06 (4)
Frivolous claims and counterclaims, 895.044
Highways, snow and ice accumulations, 893.83
Judge's liability in injunction matters, 757.24
Judgment, refusal to satisfy, 806.20 (2)
Libel, truth or correction a defense, 895.05
Limitation of awards:
 Advance payments, extensions of time, 893.12
 Municipal liability, 893.80
 Volunteer fire company, 893.80 (3)
Limitation on recovery:
 Long-term care providers, 893.555
 Medical malpractice awards, 655.017, 893.55
 Municipalities and volunteer fire companies, 893.80 (3)
 Noneconomic under health care liability, 655.017
 Prisoner actions, 895.455
Medical malpractice awards limited, 655.017, 893.55
Motor vehicles, minor's and spouse's negligence imputed to owner, 895.048

Motorboats, negligence of spouse or minor, 895.048
Motorcycle, snowmobile, ATV riders; no helmet, recovery not reduced, 895.049
Negligent acts, political corporations and municipalities, limitation of damages, 893.80
Property crimes, civil liability, 895.446
Property, injury to, limitation, 893.52
Punitive damages, 895.043
Recovery in mandamus bars action for, 783.05
Resulting from injunction, 813.07
Settlement and advance payment of claims for, 885.285
Settlements:
 Offers, 807.01
 Structured settlement transfers:
 Court approval, 895.67
 Definitions, 895.65
 Disclosures, mandatory, 895.66
 Effects of transfer of payment rights, 895.68
 General provisions, 895.70
 Procedure, 895.69
Sexual exploitation by:
 Clergy member, 895.442
 Therapist, 895.441
Tort actions against governmental subdivisions, officers and employees, limitation, 893.80
Vending machines, theft damage, 895.79
Witness failing to attend, 885.11
Wrongful death, 895.03
 Actions, 895.04
 Recovery from estate of wrongdoer, 895.031

DEATH AND DEAD PERSONS

Absence as evidence of death, 813.22
Effect of death, civil court actions, *see Survival of Actions*
Limitation in case of, 893.22
Record of death as evidence, 891.09
Survival of action, *see Survival of Actions*
Wrongful death, *see Wrongful Death*

DECLARATORY JUDGMENTS

See Judgments

DEFAULT JUDGMENTS

Generally, 806.02
See also Judgments

DEFENDANTS

See Parties to Action

DEFICIENCY JUDGMENTS

See Judgments

DEPOSITIONS

Generally, Chs. 804, 887
Agencies, powers of, 887.23
Appellate courts, use of depositions, 887.18
Arbitration proceedings, 788.07

Attendance:
 Failure of, 804.12 (4)
 Refusal to appear, sanctions, 885.11 (5)
 Costs, 814.04 (2)
 Disqualification to take, 804.03 (3)
 Examination and cross-examination, 804.05 (4)
 Foreign actions, 887.24
 Hearsay, unavailable witness, 908.045
 Limits on quantity, 804.045
 Municipal court, 887.20
 Objections to admissibility in court, 804.07 (2)
 Oral examination procedure, 804.05
 Outside state, actions in, 887.24, 887.26
 Procedure, generally, 804.05
 Reciprocity among states, 887.24
 Stipulation regarding procedure, 804.04
 Subpoena, 805.07
 See also Subpoenas
 Reciprocity, 887.24
 Telephone proceedings, 804.05 (8)
 See also Telephone and Audio-Visual Proceedings
 Time for taking, 804.02, 804.05 (1)
 Use, in court proceedings, 804.07
 Videotape:
 Generally, 885.40
 Availability, 885.42
 Costs, 885.45
 Custody and preservation, 885.46
 Definitions, 885.41
 Notice, 885.43
 Playback equipment, 885.47
 Procedure, 885.44
 Who may take:
 In foreign countries, 804.03 (2)
 Within U.S., 804.03 (1)
 Written questions, examination upon, 804.06

DISCOVERY

Generally, Ch. 804
See also Depositions; Videotape Procedure
 Admissions, requests for, 804.11
 Audiovisual oral statements of children, 908.08
 Creditors' actions, discovery of property, 128.16
 Depositions, *see Depositions*
 Documents, custody of, 804.01 (6)
 Failure to make, sanctions, 804.12
 General provisions governing, 804.01
 Inspection:
 Documents and property generally, 804.09
 Medical documents, 804.10
 Interrogatories:
 Generally, 804.08
 Failure to serve answers to, 804.12 (4)
 Methods, 804.01 (1)
 Motions to compel, 804.12
 Physical and mental examination of parties, 804.10
 Prisoners, limits, 804.015
 Protective orders regarding, 804.01 (3)
 Sanctions for failure, 804.12

Scope, 804.01 (2)
 Service, papers relating to discovery, 801.14 (1)
 Stipulation regarding procedure, 804.04
 Timing and sequence, 804.01 (4)
 Videotaped oral statements of children, 908.08

ELECTRONIC TRANSACTIONS AND RECORDS

Admissibility in evidence, electronic records and signatures, 137.21
 Applicability of law, 137.12
 Attribution of electronic record or signature to creator, 137.17
 Construction of law, 137.14
 Definitions, 137.11
 Document submission in electronic format, 137.25
 Electronic agents, contracts formed with, 137.22
 Error or change in transmission, effect, 137.18
 Legal recognition of electronic records, contracts, and signatures, 137.15
 Notarization and authentication, 137.19
 Retention of records, originals, 137.20
 Standards for receipt of electronic documents by governmental units, interoperability, 137.26
 Time and place of sending or receiving electronic records, 137.23
 Transferability of electronic records, 137.24
 Use of electronic records and signatures, variation by agreement, 137.13
 Written document requirements, presentation of electronic records, 137.16

EVIDENCE

1. General Provisions

2. Certifications as Evidence

1. General Provisions

Generally, Chs. 901 to 911
 Absence as evidence of death, 813.22
 Accident reports not to be used in trial, 346.73
 Acknowledged documents, self-authentication, 909.02 (8)
 Acknowledged instruments competent, exception, 889.23
 Adjutant general's certificate, 891.17
 Administrative orders, publication, 889.01
 Admissibility, preliminary questions, 901.04
 Admissions:
 By party opponent, 908.01 (4)
 Request for, 804.11
 Affidavits of service, 891.18
 Affirmation, 906.03
 Age, birthplace, parentage, established by circuit court, 889.28
 Ancient documents, hearsay exception, 908.03 (16)
 Applicability of rules, 911.01
 Articles of incorporation and organization, patents, 891.20
 Attested instruments, effect of acknowledgment, 889.23
 Audiovisual oral statements of children, 908.08
 Authentication and identification, 909.01 to 909.03
 Bank books, copies, 891.24
 Baptismal certificate, hearsay exception, 908.03 (12)

Bias or prejudice, admissibility, 906.16
 Blood alcohol concentration, 885.235
 Burden of proof, *see Burden of Proof*
 Business records:
 Hearsay exception, 908.03 (6)
 Photographic copies, 889.29
 Certified copies of public records, self-authentication, 909.02 (4)
 Character, 904.04
 Methods of proving, 904.05
 Character and conduct of witness, 906.08
 Children, audiovisual statements, admissibility, 908.08
 Children's injuries, no patient-physician privilege, 905.04 (4) (e)
 Chiropractors:
 License and certificate, 889.18 (1)
 Patient's privilege, exceptions, 905.04
 Church records, 891.09
 Citizenship, order when papers lost, 891.345
 Clergy, communications to, privileged, 905.06
 Commercial paper, self-authentication, 909.02 (9)
 Common law of sister state, proof, 889.05
 Compromise and offers to compromise, 904.08
 Confessions, hearing out of presence of jury, 901.04 (3)
 Confusion of issues, exclusion of relevant evidence on grounds of, 904.03
 Construction of law, 901.02
 Conveyances:
 Proof on refusal of grantor to acknowledge, 889.24 to 889.243
 Record same as original, 889.17
 Copies:
 Certification, presumption, 889.08
 Court authorized use, civil actions, 807.06
 Of official records, 889.18
 Corporate and company existence, 891.20
 When presumed, 891.31
 Corporate and company meeting, affidavit of notice, 891.21
 Corporations, actions by state, testimony, production of documents, immunity, 885.25
 County, records as to taxation, 891.11
 Court-appointed experts, compensation, 907.06
 Court records, and copies, 889.07
 Credit union books, copies, 891.24
 Cross-examination, scope, 906.11
 Death, absence as, 813.22 to 813.34
 Declarant, attacking and supporting credibility, 908.06
 Depositions and discovery, *see Depositions; Discovery*
 Doctors, patient privilege, exceptions, 905.04
 Doctor's records, 891.09
 Documents and records, Ch. 889
 Domestic partner, privilege, exceptions, 905.05
 Domestic violence or sexual abuse advocate privilege, 905.045
 Duplicates, admissibility of, 910.03
 Erroneous ruling, effect of, 901.03 (1)
 Excited utterance, hearsay exception, 908.03 (2)
 Exclusion of witnesses, 906.15
 Execution of official bond, 891.35
 Expert testimony, Ch. 907
 Family records, hearsay exception, 908.03 (13)
 Farmer assistance programs, communication inadmissible, 904.15
 Fire fighter, presumption of employment-connected disease:
 Cancer, 891.455
 Heart or respiratory disease, 891.45
 Foreign court records, 889.15, 889.16
 Foreign laws, 889.02, 889.03
 How proved, 889.06
 Genetic test, in civil actions, 885.23
 Guilty plea, later withdrawn, admissibility, 904.10
 Habit, relevancy, 904.06
 Harmless error, 805.18 (2)
 Health care provider records:
 Hearsay exception, 908.03 (6m)
 Incident or occurrence report, inadmissible, 146.38 (2m)
 Self-authentication, 909.02 (11)
 Health care regulatory agency reports, 904.16
 Hearings out of presence of jury, 901.04 (3)
 Hearsay, Ch. 908
 Admissibility, 908.02
 Audiovisual statements of children, admissibility, 908.08
 Defined, 908.01 (3)
 Exceptions, 908.03
 Declarant unavailable, 908.04, 908.045
 Preliminary examination, allowable at, 908.07
 Within hearsay, 908.05
 Helmet use inadmissible, motorcycles, ATVs, snowmobiles, 901.053
 HIV test results, admissibility, 901.05
 Husband and wife, privilege, exceptions, 905.05
 Immunity, *see Immunity*
 Impeachment of witness, 906.07
 By evidence of conviction of crime, 906.09
 Informer, government may refuse to disclose identity, exceptions, 905.10
 Injured persons' statements, admissibility, 904.12
 Insurance assessments, 891.22
 Insurance books, copies, 891.23
 Interpreters, oath, 906.04
 Interrogation of witnesses, mode and order, 906.11
 Interrogatories, 804.08
 Intoxication, chemical analysis, 885.235
 Irrelevant, inadmissible, 904.02
 Joint liability, presumption, 891.30
 Judge:
 Calling and interrogating witnesses, 906.14
 Presiding, may not testify at trial, 906.05
 Judgment as to personal, family or general history or boundaries, hearsay exception, 908.03 (23)
 Judgment of previous conviction, hearsay exception, 908.03 (22)
 Judicial land sale certificate, 891.07
 Judicial notice:
 Generally, Ch. 902
 Adjudicative facts, 902.01
 Administrative rules of state and federal agencies, 902.03
 City ordinances, 902.03

County ordinances, 902.03
 Foreign laws, 902.02
 Judicial review of administrative orders, 227.56
 Juror as witness, 906.06
 Jury, hearing inadmissible material, 901.03 (3)
 Land title certificate, 891.16
 Law enforcement records, privileged, 905.09
 Laws, how proved, 889.02, 889.03
 Lawyer-client privilege, exceptions, 905.03
 Lead dust testing results, admissibility, 901.055
 Leading questions of witnesses, 906.11 (3)
 Learned treatises, hearsay exception, 908.03 (18)
 Legislative journals, 889.01
 Liability insurance, admissibility, 904.11
 Limited admissibility, 901.06
 Malice in slander or libel actions, 891.33
 Market reports, commercial publications, hearsay exception, 908.03 (17)
 Marriage certificates, hearsay exception, 908.03 (12)
 Mediator-mediation communications inadmissible, 904.085
 Medical diagnosis or treatment statements, hearsay exception, 908.03 (4)
 Medical expenses, payment of, not admissible to prove liability for injury, 904.09
 Mental, emotional or physical condition, hearsay exception, 908.03 (3)
 Microfilming of business records, 889.29
 Motion challenging sufficiency, 805.14
 Motor vehicles:
 Accident suits, exclusions, 344.21
 Presumption of operation and registration by owner, 885.237
 Municipal court:
 Records, 889.13
 Unrecorded proceedings, 889.14
 Newly discovered, order for new trial, 805.15 (3)
 Newspapers and periodicals, self-authentication, 909.02 (6)
 No contest plea, later withdrawn, admissibility, 904.10
 Nurses, patient privilege, exceptions, 905.04
 Oaths, testimonial, 906.03
 Offer and ruling, record of, 901.03 (2)
 Official certificates, affidavit, 889.10
 Official publications, 889.01 to 889.03
 Self-authentication, 909.02 (5)
 Official records, 889.18
 Opinions, Ch. 907
 Ordinances, 889.04
 Original:
 Required to prove contents, 910.02
 Unavailable, admissibility of other evidence of contents, 910.04
 Other-acts evidence, admissibility, 904.04
 Parol evidence:
 Common law of sister state or territory of United States, proof, 889.05
 Foreign laws, 889.06
 Partnership, allegations of, 891.29
 Paternity proceedings:
 Marital or nonmarital child, 891.39
 Time of conception presumption, 891.395
 Pedigree, proof from deed, will, 889.19
 Perpetuation, of testimony by deposition, 804.02
 Personal knowledge, proving, 906.02
 Photographs:
 Admissibility when originals unavailable, 910.04
 Duplicates, admissibility of, 910.03
 Function of judge and jury, 910.08
 Original required to prove contents, 910.02
 Proved by admission of party against whom used, 910.07
 Summaries may be presented, 910.06
 Physical and mental examination reports, 804.10
 Physician-patient privilege, exceptions, 905.04
 Plain error, 901.03 (4)
 Prejudice, exclusion of relevant evidence on grounds of, 904.03
 Preliminary questions, 901.04
 Present sense impression, hearsay exception, 908.03
 Presumptions, Ch. 891
 Generally, 903.01
 See also Presumptions
 Criminal cases, 903.03
 Prior statements of witnesses, 906.13, 908.01 (4)
 Privileges, Ch. 905
 See also Privileged Communications
 Proof, of publication, 985.12
 Property records, hearsay exception, 908.03 (14), (15)
 Psychologist, patient privilege, exceptions, 905.04
 Public documents, self-authentication, 909.02 (1), (2), (3)
 Public land commission, certificate of title, 891.14
 Public records:
 Absence of, hearsay exception, 908.03 (10)
 Admissibility of reproductions, 16.61 (7), (8)
 Certified copies, self-authentication, 909.02 (4)
 Contents, 910.05
 Public records and reports, hearsay exception, 908.03 (8)
 Publication by state, prima facie, 889.01
 Purpose of law, 901.02
 Recitals in conveyance or will, 889.19
 Recorded recollection, hearsay exception, 908.03 (5)
 Recordings:
 Admissibility when originals unavailable, 910.04
 Duplicates, admissibility of, 910.03
 Function of judge and jury, 910.08
 Original required to prove contents, 910.02
 Proved by admission of party against whom used, 910.07
 Remainder of to be introduced, 901.07
 Summaries may be presented, 910.06
 Records, certification of nonfiling, 889.09
 Register of deeds, files, records, 889.17
 Relevancy conditioned on fact, 901.04 (2)
 Relevant:
 Admissible, 904.02
 Definition, 904.01
 Exclusions, grounds of, 904.03
 Religious beliefs or opinions, 906.10

Religious organizations, records hearsay exception, 908.03 (11)
 Report, reading by expert, 907.07
 Reputation as to character, hearsay exception, 908.03 (21)
 Reputation concerning boundaries or general history, hearsay exception, 908.03 (20)
 Reputation concerning personal or family history, hearsay exception, 908.03 (19)
 Returns to writs, presumption, 891.37
 Routine practice of organization, relevancy, 904.06
 Rulings on, 901.03
 Savings and loan association books, copies, 891.24
 Scope of law, 901.01
 Seal as presumption of consideration, 891.27
 Self-authentication, 909.02
 Settlement offers, 885.285 (2)
 Sexual abuse or domestic violence advocate privilege, 905.045
 Sexual conduct, admissibility, 901.08
 Signatures, presumption, 891.25
 State and U.S. court records, 889.15
 State land patents, 891.05
 Statement of injured person, admissibility, 904.12
 Statutes:
 Laws, orders, 889.01
 Of sister state and U.S., 889.02, 889.03
 Statutory rules, self-authentication, 909.02 (10)
 Subscribing witnesses, testimony, 909.03
 Subsequent remedial measures, 904.07
 Summaries of writings, recordings or photographs may be presented, 910.06
 Summons, endorsement of receipt for service, 891.38
 Telephone conversation recorded, inadmissible, exceptions, 885.365
 Testimony:
 By accused, 901.04 (4)
 Experts, Ch. 907
 Opinion by lay witnesses, 907.01
 Reporting, 757.55
 Title of code, 911.02
 Title to realty, criminal case, proof, 891.36
 Trade inscriptions, self-authentication, 909.02 (7)
 Trade secrets, privileged, 905.08
 Transcripts of official reporter, 889.11
 Treatises, hearsay exception, 908.03 (18)
 Ultimate issue opinions, 907.04
 Unavailability as a witness, 908.04, 908.045
 Victims of crimes, information concerning, relevancy, 904.13
 Videotape procedure, *see Depositions*
 Videotaped statements of children, admissibility, 908.08
 Village, incorporation, 891.10
 Vital statistics:
 Record proof, 891.09
 Records, hearsay exception, 908.03 (9)
 Vote is privileged, 905.07
 Waste of time, exclusion of relevant evidence on grounds of, 904.03
 Wisconsin statutes prima facie, 990.07

Witnesses, *see Witness Fees; Witnesses*
 Worker's compensation, reports inadmissible, 102.40
 Writings:
 Admissibility when originals unavailable, 910.04
 Duplicates, admissibility of, 910.03
 Foreign translations; submission, translation, 901.09
 Function of judge and jury, 910.08
 Original required to prove contents, 910.02
 Proved by admission of party against whom used, 910.07
 Related, remainder of to be introduced, 901.07
 Subscribing witnesses' testimony, 909.03
 Summaries may be presented, 910.06
 Used to refresh memory of witness, 906.12
 Written instruments competent if acknowledged, 889.23

2. Certifications as Evidence

Adjutant general's certificate, 891.17
 Affidavit:
 Of notice of corporate or company meeting, 891.21
 Of publication, 985.12 (1)
 Articles of incorporation and organization, 891.20
 Conveyances, revenue stamps presumed proper, 891.08
 Copies, how certified, 889.08
 Foreign court records, 889.15, 889.16
 Insurance:
 Assessments, 891.22
 Company books, 891.23
 Judicial land sales, 891.07
 Lands conveyed to state by U.S., 891.03
 Municipal court records, 889.13
 Nonfiling, officer's certificate, 889.09
 Official certificates, 889.10
 Official records, exceptions, 889.18
 Public land commissioners, 891.04, 891.14
 Public lands, receipt, 891.12
 Records and files of courts, 889.07
 Refusal to make, 889.18
 Seal, when not necessary, 889.08 (4)
 State library, 889.03
 Summons, time of receipt for service, 891.38
 Transcript from county of taxes, 891.11 (2)

EXPERT WITNESSES

See Witness Fees; Witnesses

EXTRAORDINARY REMEDIES

Generally, Ch. 781

FACSIMILE MACHINES

Filing papers with clerk or judge, 801.16 (2)
 Service of process by, 801.14 (2)

FEDERAL EQUAL ACCESS TO JUSTICE ACT

As guideline when awarding costs, 814.245

FEES

See Courts—2. Costs and Fees; Witness Fees

FRAUD AND DECEIT

Gasoline and diesel fuel retailers, defrauding, civil action, 895.449

Insurance:

Contracts, 631.11

Reporting fraud, immunity, 895.486

Real estate, residential real estate transactions; fraud and misrepresentation, tort action, 895.10

FRIVOLOUS MATTERS

See Courts—2. Costs and Fees

GARNISHMENT

Generally, Ch. 812

1. General Provisions

2. Earnings Garnishments

1. General Provisions

Action by defendant against garnishee, stayed, 812.20

Alcohol retail sales, no action for debt, 812.01 (4)

Answer:

Conclusive if no plaintiff reply, 812.14

Defendant, 812.15

Garnishee, 812.11

Applicable law, 812.01 (2)

Bond:

Defendant's dismissal, procedure, 812.21

Plaintiff to garnishee, 812.08

Commencement:

General provisions and limitations, 812.01

Summons, 812.04

When allowed, 812.02

Complaint, 812.05

Costs and fees, 814.62 (1)

Award, 812.22

Defendant:

Action against garnishee, 812.20

Answer, 812.15

Bond, effect, 812.21

Exemptions, 812.19

Agricultural products, 812.18 (2m)

Claimed for defendant, 812.11 (4)

Public corporation, officer's private property, 895.36

Fees, *see Costs and fees, under this subhead*

Garnishee:

Answer, contents, service, 812.11

Defendant's action against, 812.20

Defense of principal action, 812.15

Fee to garnishee, 812.06

Liability, 812.18

Exceptions, 812.19

Payments, releases, 812.13

Impleader, 812.17

Judgment, 812.16 (2)

Marital property, 812.02 (2e)

Parties:

Generally, 812.01

Joinder, 812.05 (3)

Partnership, garnishee defendant, 812.05 (4)

Penalties, violation of law, 812.24

Perishable property, sale of, 811.14

Plaintiff, reply to garnishee answer, 812.14

Restitution orders, 812.405

Service, 812.07

Partnership as garnishee, 812.05 (4)

Small claims procedure, 799.01

Summons:

Form, 812.04

Small claims, in rem or quasi in rem, 799.16 (4)

Trial, 812.16 (1)

Undertaking, plaintiff to garnishee, 812.08

Violations of law, penalties, 812.24

2. Earnings Garnishments

Answer:

Garnishee reply, 812.35 (5)

Debtor's answer, 812.37

Forms, 812.44

Applicable law, 812.31

Commencement of action, 812.35

Definitions, 812.30

Exempt earnings, 812.34

Extension of garnishment period, stipulation, 812.40

Forms, 812.44

Garnishee:

Fee, 812.33

Liability, 812.41

Payments by, 812.39

Retaliation by prohibited, 812.43

Hearing, 812.38

Pleadings, forms, 812.44

Procedure, generally, 812.31

Public employees earnings, 812.42

Purpose of earnings garnishment, 812.32

GUARDIANS AD LITEM

Answer, time to serve, 802.06 (1)

Appeals briefs, 809.19 (8m)

Appearance, 803.01 (3)

Appointment, 803.01 (3)

For persons not in being, 757.52

Must be attorney, exception, 757.48

Bond not required, 757.48 (3)

Child whose paternity questioned, 891.39

Compensation, who pays, how fixed, 757.48

Compromise or settlement of action, 807.10

Consent to act for plaintiff, 757.48 (4)

Costs in action by or against, 814.14

Fees, not taxed as costs, 814.04 (2)

Money or property of ward, cannot receive, 757.48 (3)

Party to action, appointment, 803.01 (3)

Settlements in behalf of minors, 807.10

Unborn children, 757.52

Waive objection to jurisdiction over person of ward,

801.08 (3)

HEALTH CARE LIABILITY

See Medical Malpractice

HEARSAY EVIDENCE

Generally, Ch. 908

For detailed analysis, see Evidence—1. General Provisions

HONESTY TESTING DEVICES

Privilege, 905.065

IMMUNITY

See also Liability; Self-Incrimination

Anhydrous ammonia use; liability, immunity, 895.555

Automated teller machine owners, information from unauthorized card scanning, 895.501

Body cavity searches, medical personnel performing, 895.535

Bribery actions, 885.15

Campgrounds, private, civil liability exemption, 895.519

Child-placing agencies, 895.485

Child safety restraint system technicians, 895.497

College and university residence hall directors, exemption for administering opioid antagonists, 895.478

Defibrillator use, 895.48 (4)

Employment references, employer immunity, 895.487

Farm equipment safety device installers, 895.495

Food sellers and manufacturers, weight gain and obesity claims, 895.506

Foster and out-of-home care providers, 895.485

Fuel pump owners, information from unauthorized credit card scanning, 895.501

Hazardous substances, civil liability exemption for, 895.48 (2), 895.483, 895.55

Health care services review, civil immunity, 146.37

Health insurance, risk-sharing plans, 895.514

Horses and other equines, immunity from liability, 895.481

Hospital personnel providing paternity information, 895.4803

Insurance fraud, reporting, 895.486

Judicial misconduct and permanent disability proceedings, 757.94 (2)

Landlord immunity:

 Tenant references, liability exemption, 895.489

 Termination of tenancy, nuisance, 893.34

Municipalities generally, 893.80

Property owners, exemption from liability for assessor injury, 895.488

Public works projects, use of certain solid wastes, 895.58

Recreational activities:

 Agricultural tourism activities, assumption of risk, 895.524

 Participants, 895.525

 On school grounds or in school buildings, 895.523

 Property owners, 895.52

 Shooting ranges, 895.527

Recycling facilities, immunity for donation of materials, 895.517

Safety inspectors, insurers or state agencies, 895.44

Ski patrol, civil liability exemption, 895.482

Snow sports, 895.526

Technology donations to educational institutions, 895.515

Toilet facilities in retail establishments, access, 895.512

Trespassers, duty of care, owed to, 895.529

 Unlawful entry, response to, civil immunity, 895.62

Vehicles, entering to assist person or animal in imminent danger; liability exemption, 895.484

Waterways:

 Placement of certain structures, 895.5265

 Placement of markers and buoys, 895.528

Weight gain and obesity claims, 895.506

IMPLEADER

See Parties to Action

INJUNCTIONS

Generally, Ch. 813

Additional security, 813.11

Adult-at-risk:

 Interference with services, 813.123

 New hearing, 813.126

 Service of, notifying petitioner; notification system, 813.115

Against leaving this state, 813.13 to 813.15

Allowed as prescribed by chapter 813, 813.01

Application by defendant for relief, 813.11

Assessment of damages, bill of particulars, costs, 813.07

Bill of particulars on claim for damages, 813.07

Bond by plaintiff, conditions, 813.06

Child abuse restraining injunctions, 813.122

 New hearing, 813.126

 Representative for victim, 895.45

 Service of, notifying petitioner; notification system, 813.115

Combined actions, domestic abuse, child abuse and harassment, 813.127

Consumer credit action, 426.109, 426.110

Corporations, ultra vires acts, 813.02

Damages, incurred by, how ascertained, 813.07

Defendant:

 May have, when, 813.03

 Restrained pending decision, 813.05

 When heard before granted, 813.08

Defendant's remedies, 813.11

Developmentally disabled persons, interference with services, 813.123

Domestic abuse, 813.12

 Global positioning system tracking, 813.129

 New hearing, 813.126

 Representative for victim, 895.45

 Service of, notifying petitioner; notification system, 813.115

Elderly persons, interference with services, 813.123

Ex parte restraining orders, 813.025

Filing officer's return, 813.06

Firearm surrender, notice and process when injunction requires, 813.1285

Foreign protection orders and injunctions, 813.128

 Canadian orders, 813.1283

Harassment, 813.125

 Global positioning system tracking, 813.129

- New hearing, 813.126
- Service of, notifying petitioner; notification system, 813.115
- Holidays, granting and serving on, 813.04
- Insurance commissioner, when notified, 813.05
- Judge liable for willful violation of law, 757.24
- Judgment or order may grant, 813.01
- Jurisdiction, subject matter, 813.05
- Mentally ill persons:
 - Interference with services, 813.123
 - New hearing, 813.126
- Notice required, when, 813.05
- Offer of damages, effect on costs, 813.07
- Order to defendant to show cause, meantime restrained, 813.08
- Prison conditions cases, 813.40
- Protective placement and services:
 - Interference, 813.123
 - New hearing, 813.126
- Real estate actions, 813.02 (2)
- Relief pending appeal, 808.07 (2) (a)
- Remedy against heir or legatee, 813.026
- Remedy, final or provisional, 813.01
- Service of papers, filing, 813.06
- Service of temporary, manner, time, 813.04
- Sundays, granting and serving on, 813.04
- Supreme court or justice may allow, 751.07
- Temporary:
 - Against heir or legatee, 813.026
 - Bond required, 813.06
 - By whom granted, 813.02 (4)
 - Telephone conference prior to granting, 813.02 (1)
 - Time, grounds for, 813.04
 - To defendant, 813.03
 - When granted, 813.02
- Time of stay, excepted from limitation, 893.23
- Tribal court orders, enforcement, 813.12 (9)
- Ultra vires acts of corporation, 813.02
- Waste restrained, 813.02 (2)
- Writ, abolished, 813.01

**INJURED PATIENTS AND FAMILIES
COMPENSATION FUND**

Generally, 655.27 to 655.275
For detailed analysis, see Medical Malpractice—2. Injured Patients and Families Compensation Program

INSURANCE

- 1. General Provisions**
- 2. Agents and Marketing**
- 3. Contracts Generally**
- 4. Fraternal**
- 5. Health Care Liability**
- 6. Liability**
- 7. Life and Annuity**
- 8. Nondomestic Insurers**

1. General Provisions

Absentees' insurance fund, 813.31

Claims:

- Reporting fraud, immunity, 895.486
- Timely payment, interest, 628.46
- Negligence cases, direct action statute, 803.04 (2)
- Personal jurisdiction, grounds, 801.05 (10)
- Safety inspection services, exemption from civil liability, 895.475

2. Agents and Marketing

- Acts of agents, 631.09
- Collusion, 631.09 (4)
- Knowledge of agents, 631.09

3. Contracts Generally

- Acts of agents, 631.09
- Application forms, 631.11
- Application of statutes, 631.01
- Cancellation of contract, 631.36
- Conditions, 631.11
- Group certificates, application of statutes, 631.01 (1)
- Group policyholder not agent, 631.09 (5)
- Liability of insurer, 631.09 (6)
- Limitation of actions, 631.83
- Misrepresentations in contract, 631.11
- Nonrenewal, 631.36
- Notice to agent, effect, 631.09 (3)
- Other insurance provisions, 631.43
- Renewal with altered terms or premiums, 631.36 (5)
- Representations, 631.11
- Termination of contract by insurers, 631.36
- Warranties, 631.11

4. Fraternal

- Contract representations and warranties, 631.11 (5)

5. Health Care Liability

Generally, Ch. 655
For non-insurance related provisions, see Medical Malpractice

- Cancellation or nonrenewal, 655.24
- Liability limitation, 655.23 (5)
- Payments prior to fault determination, 655.245 (2)
- Penalties for violations, 655.23 (6), (7)
- Policy limits, 655.23 (4)
- Proof of financial responsibility, 655.23
- Reports on claims paid, 655.26
- Required policy provisions, 655.24
- Risk sharing plans, cancellation or nonrenewal, 655.25
- Self-insurance, 655.23
- Settlements, rejection by provider prohibited, 655.245 (1)

6. Liability

- Direct action against insurer, 632.24
- Evidence, admissibility, 904.11
- Motor vehicles:
 - Defense of noncooperation, 632.34
 - Prohibited cancellation and nonrenewal, 632.35
 - Required and prohibited policy provisions, 632.32
 - Uninsured and underinsured motorist coverage, 632.32

Negligence cases, direct action statute, 803.04 (2)
Notice provisions, 632.26

7. Life and Annuity

Absence as evidence of death, 813.22
Absent insured, payment to beneficiaries, 813.30
Beneficiaries, intentionally killing the insured, 895.435
Death claim based on absence, notice, 813.22

8. Nondomestic Insurers

Copies of account books as evidence, 891.23
Personal jurisdiction over, 801.05 (10)

INTERPRETERS

Court and agency proceedings, 807.14, 885.37, 885.38
Depositions outside state, 887.27
Documents in evidence, not in English, 901.09
Fees, 814.67, 885.05
Privileged communications with, 905.015
Witnesses, 906.04

INTERROGATORIES

See Discovery

JOINDER

See Parties to Action

JOINT LIABILITY

Effect of death or incompetency upon action, 803.10 (1)
Proof in contractual actions, 891.30

JUDGES

Acknowledgments, may take, 757.02
Affidavit as to work done, required to receive salary,
757.025
Arrest, liability, 757.26
Assigned, 801.59
Assignment of, by chief justice or justice, 751.03
Attorneys, office sharing with judicial officers prohibited,
757.22
Calendar printed, 757.39
Circuit court, *see Circuit Courts—5. Judges*
Claims, judge not to prosecute as attorney, 895.057
Conflicts of interest, disqualification, 757.19, 801.56
Court commissioners, *see Circuit Courts—3. Court
Commissioners*
Decisions, time to complete, 757.025
Disability:
Disability and misconduct proceedings, 757.81 to 757.99
When presiding, procedure, 751.03 (4)
Disqualification:
Change of venue, 801.56
When, 757.19
Eligibility for nonjudicial office, 757.02
Judicial notice:
Adjudicative facts, 902.01
Administrative rules of state and federal agencies, 902.03
City ordinances, 902.03

County ordinances, 902.03

Foreign laws, 902.02

Law practice, restricted, 757.22

Liability for willful violation of law of injunctions,
receivers, 757.24

Misconduct or disability proceedings, 757.81 to 757.99

Notarial acts, uniform law, 706.07

Oaths, may administer, must take, 757.02

Opinion evidence, when forbidden to give, 757.67

Reserve judges, compensation, qualifications, 753.075

Sick leave, 757.02 (5)

Suspension, *see Misconduct or disability proceedings,
under this head*

Vacancy, suits not affected, 757.08

JUDGMENTS

Generally, Ch. 806

Action on:

Leave of court required, 806.23

Limitation, 893.40

Admitted claim, judgment on, 806.03

Assignment, clerk to enter on docket, 806.18

Collection pending appeal, deposit in court, 806.09 (2)

Confession prohibited, 806.25

Contents, 806.01 (1)

Costs, *see Costs and Fees*

County court judgments, preservation of, 753.077

Declaratory relief act, 806.04

Declaratory relief against obscene matter, 806.05

Default judgment:

Generally, 806.02

Costs allowed, 814.04 (6)

Failure to testify or depose, 804.12 (2), 885.11 (5)

Small claims actions, 799.22, 799.29

Docketing:

Generally, 806.10

Appellate court judgments, 806.16

Reversal on appeal, 806.10 (2)

Arbitration, 788.14

County where real estate affected is situated, 806.14

Court ordered, 806.10 (1)

Federal court judgment, 806.17

Foreign county, docketing in, 806.13

Foreign judgments, uniform act, 806.24

Lien, 806.15

Municipal court judgment, 806.12

Refusal to satisfy, 806.20 (2)

Enforcement, generally, *see Attachment; Garnishment;
Replevin*

Enforcement in special cases; judgments against public
officers and employees, state and political subdivisions to
pay, 895.46

Entry of judgment, 806.06

Fees, *see Courts—2. Costs and Fees*

Final or interlocutory, 806.01 (1) (a)

Findings, conclusions; combined with judgment, 805.17 (2)

Foreign copies as evidence, 889.15, 889.16

Foreign-money claims, 806.30 to 806.44

Foreign protection orders and injunctions, enforcement, 813.128
 Canadian orders, 813.1283
 Foreign uniform enforcement act, 806.24
 Garnishment, *see Garnishment*
 Granting, 806.06
 Indian tribal court, full faith and credit, 806.245
 Interlocutory, when given, 806.01 (2)
 Lien, 806.15
 Satisfaction, *see Satisfaction of judgments, under this subhead*
 Notice of entry, 806.06 (5)
 Partial judgment, 806.01 (2)
 Perfection, 806.06
 Pleading of, 802.03 (5)
 Prisoners, payment of judgments for, 806.025
 Quo warranto proceedings, 784.08
 Real property actions, eviction, 799.44
 Relief from, 806.07
 Replevin, *see Replevin*
 Reversal:
 Generally, 808.08
 By supreme court, 751.06
 Entry on docket, 806.10 (2)
 Restitution on, 806.09
 Satisfaction of judgments:
 Generally, 806.19
 Bankruptcy, discharge in, 806.19 (4)
 Court may direct, 806.20 (1)
 Filing transcript in other county, 806.22
 Lien, effect on, 806.21
 Partial, 806.21
 Pending appeal, deposit in court, 806.09 (2)
 Refusal to make, 806.20 (2)
 Settlement offer, judgment exceeding, effect, 807.01 (4)
 Signing and entry, 806.06
 Small claims actions, 799.16, 799.215, 799.22, 799.24, 799.44
 Stay of proceedings to enforce, 806.08
 Summary judgment, 802.08
 Writs of prohibition, 783.12, 783.13

JUDICIAL NOTICE

Generally, Ch. 902

JURIES

See also Trials

Challenges, civil, 805.08 (3)
 Charge to, civil, 805.13
 Demand for, civil actions, 805.01
 Employer may not discharge employee for jury service, 756.255
 Errors involving, when grounds for reversal or new trial, 805.18 (2)
 Excuse, deferral, 756.03
 Fees, 756.25
 Levy in discretion of court, 814.51
 Party demanding jury trial, 814.61 (4)
 Five-sixth verdict, 805.09 (2)

Instructions, civil actions, 805.13
 Leave of absence, employers failure to grant, 756.255
 Length of juror service, 756.28
 Nonattendance, fine, 756.30
 Nonwaiver of jury trial, by motion for directed verdict, 805.14 (8)
 Note taking, court authorizes, 805.13 (2)
 Number of jurors, 756.06, 805.08 (2)
 Oaths, 756.08
 Peremptory challenges, civil actions, 805.08 (3)
 Qualifications, 756.02, 805.08 (1)
 Excuse, deferral, 756.03
 Misrepresentation, penalty, 756.30
 Selection:
 Fraud by clerk, 756.30
 Insufficient number, 756.07
 Lists of potential jurors, 756.04
 Number, trial panel, 756.06, 805.08 (2)
 Summons, 756.05
 Small claims actions, 799.21
 State policy on service, 756.001
 Summons, 756.05
 Circuit court, 753.09
 Unanimity, 805.09 (2)
 Verdict, *see Verdicts*
 View, expenses, 805.08 (4)
 Waiver of jury, civil actions, 805.01
 Witness, juror as, 906.06

JURISDICTION

Act or omission locally, personal jurisdictional grounds, 801.05 (3)
 Circuit court, 753.03
 Corporations, personal jurisdiction over, grounds, 801.05
 Court of appeals, 752.01, 809.50
 Creditors' actions, 128.01
 Forum non conveniens, 801.63
 In rem:
 Appearance to contest does not grant, 801.06
 Grounds generally, 801.07
 Requirements, 801.04 (3)
 Service of summons, 801.12
 Injury locally, foreign act, 801.05 (4)
 Insurance code, service of process through state officer, 601.72, 601.73
 Joinder of causes, 801.05 (13)
 Local services, goods, contracts, personal jurisdictional grounds, 801.05 (5)
 Marital actions, nondomiciled respondents, 801.05 (11)
 Objections to personal jurisdiction, 801.08
 Dismissal, costs, 814.49 (1)
 Personal:
 Grounds for without service of summons, 801.06
 Grounds generally, 801.05
 Manner of serving summons for, 801.11
 See also Service of Process and Papers
 Objection to, 801.08
 Requirements, 801.04 (2)

Personal representative, 801.05 (12)
Presence locally, personal jurisdictional grounds, 801.05 (1)
Proof to establish grounds when defendant defaults, 806.02 (3)
Property locally, personal jurisdictional grounds, 801.05 (6)
Quasi in rem:
 Appearance to contest does not grant, 801.06
 Grounds generally, 801.07
 Requirements, 801.04 (3)
 Service of summons, 801.12
Stay of proceedings to change venue, 801.63 (4)
 Costs, 814.49 (2)
Supreme court, 809.70
 Appellate, 751.05
Tax collection, grounds for personal jurisdiction, 801.05 (9)
Waiver of objections, 807.07

JURY TRIAL

See Trial by Jury

LANDLORD AND TENANT

Eviction actions, court automation program, record retention, 758.20

LEGAL NOTICES, PUBLICATION

1. General Provisions

2. Specific Cases

1. General Provisions

Generally, Ch. 985

Adjoining counties, 985.14
Affidavit of printing, 985.12
Classes and frequency, 985.07
 Substance of 2nd and 3rd insertions, 985.075
Computation of time, 985.09
Definition section, 985.01
Discontinuance of paper, procedure, 985.13 (2)
 For publishing, 985.08
Name of paper changed, proof of publication, 985.13 (1)
Newspapers, qualifications, 985.03
Notification method, 985.02
 City, 985.06
 Municipalities, 985.05
 State, 985.04
Proof of publication, 985.12
Refusal to publish, 985.14
 Forfeiture, 985.15
Same day each week, need not be on, 985.10
School board proceedings, 985.05 (3)
Sunday publication allowed, 985.10
Type size and line length, 985.08 (2)

2. Specific Cases

Absentee's property proceedings, 813.24, 813.25
Municipal obligation, action to contest validity, 893.77 (2)

Summons, 801.11 (1) (c)
Supreme court rules, hearing, 751.12

LIABILITY

See also Immunity

Abortion, partial-birth, liability for performing, 895.038
Anhydrous ammonia use; liability, immunity, 895.555
Automated teller machine owners, information from unauthorized card scanning, 895.501
Body cavity searches, medical personnel performing, 895.535
Campgrounds, private, civil liability exemption, 895.519
Child-placing agencies, 895.485
Child safety restraint system technicians, exemption, 895.497
College and university residence hall directors, exemption for administering opioid antagonists, 895.478
Defibrillator use, civil liability exemption, 895.48 (4)
Emergencies:
 Emergency care, civil liability exemption, 895.48 (1)
 Ski patrol, 895.482
Employment references, employer immunity, 895.487
Exemptions to liability, generally, *see Immunity*
Food products, emergency household products; donations, exemption, 895.51
Food sellers and manufacturers, weight gain and obesity claims; immunity, 895.506
Foster care, out-of-home provider and child-placing agencies, civil liability exemption, 895.485
Fuel pump owners, information from unauthorized credit card scanning, 895.501
Hazardous substances, civil liability exemption for, 895.4802, 895.483, 895.55
Horses and other equines, immunity, 895.481
Hospital personnel providing paternity information, immunity, 895.4803
Immunity, *see Immunity*
Insurance fraud, immunity, 895.486
Intoxication, tests for, exemption, 895.53
Landlord immunity:
 Tenant references, liability exemption, 895.489
 Termination of tenancy, nuisance, 893.34
Landowners, 895.52
Minor drivers, negligence imputed to parents, 343.15
Motorcycle, snowmobile, ATV riders; no helmet, recovery not reduced, 895.049
Municipality, limitation, 893.80
Parental liability for acts of minor children, 895.03
Product liability, 895.047
 Remedies against manufacturers, sellers, promoters, 895.046
 Right to recovery, 895.045 (3)
Property owners, exemption from liability for assessor injury, 895.488
Public works projects, exemption for use of certain solid wastes, 895.58
Radioactive waste emergencies, strict liability, 895.065
Recreational activities:
 Assumption of risk, 895.525

- Agricultural tourism activities, 895.524
- Limitation of property owners, 895.52
- On school grounds or in school buildings, 895.523
- Recycling facilities, immunity for donation of materials, 895.517
- Scrap metal and plastic bulk container theft, civil liability, 895.09
- Sexual exploitation by:
 - Clergy member, 895.71
 - Therapist, 895.70
- Shooting ranges, 895.527
- Ski patrol, civil liability exemption, 895.482
- Snow sports, 895.526
- Sureties, limitation, discharge, 895.33
- Technology donations to educational institutions, liability exemption, 895.515
- Tort liability, agreements to limit or eliminate void, 895.49
- Trespassers, duty of care, owed to, 895.529
 - Unlawful entry, response to, civil immunity, 895.62
- Volunteer fire company, maximum recovery level for tort actions, 893.80 (3)
- Weight gain and obesity claims, food seller and manufacturer immunity, 895.506

LIBEL AND SLANDER

- Damages, truth or retraction or correction, 895.05
- Limitation of action, 893.57
- Pleading, 802.03 (6)
 - Truth no proof of malice, 891.33
- Radio and television, political candidates, 895.052

LIMITATION OF ACTIONS

See Statutes of Limitation

LONG-ARM STATUTE

Generally, 801.05

MANDAMUS

- Generally, Ch. 783*
- Civil action, 783.01
- Commencement of action, 801.02 (5)
- Costs and damages if plaintiff wins, 783.04
- Election cases, 783.03
- Extraordinary remedy:
 - As final judgment or provisional remedy, 781.01
 - Temporary relief, 781.02
 - Transmittal of record, 781.03
- Fine or imprisonment for disobeying, 783.07
- Issues of fact, where tried, 783.03
- Pleadings and proceedings, 783.02
- Recovery of damages bars other action, 783.05
- Return:
 - Deemed uncontroverted, 783.02
 - When to make, 783.01

MARRIAGE

- Marital property:
 - Agreements, tolling of statute of limitation, 893.135
 - Creditors, actions to satisfy spousal obligations, 803.045

- Garnishment, 812.02 (2e)
- Joinder of parties, 803.04 (3)
- Judgment docket information, 806.10 (1)
- Judgment lien, 806.15 (4)

MEDIATION

See also Arbitration

- Alternative dispute resolution, orders, 802.12
- Communications inadmissible, 904.085
- Family court counseling services, 814.615
- Health care liability mediation, *see Medical Malpractice*

MEDICAL MALPRACTICE

1. General Provisions

2. Injured Patients and Families Compensation Program

1. General Provisions

- Arbitration panel selection, 788.04 (2)
- Claims against state employees, 893.82 (5m)
- Damages, limits, 893.55
- Statutes of limitation, 893.55
 - Governmental entities and employees, actions against, 893.80 (1m)
 - Minors, actions against providers, 893.56
 - Noneconomic damages, 655.017

2. Injured Patients and Families Compensation Program

Generally, Ch. 655

- Actions against providers, procedure specific to chapter 655, 655.009
- Applicability of chapter 655, 655.002, 655.005, 655.006, 655.007
- Attorney fees, 655.013
- Complaint, contents, 655.009 (1)
- Derivative claims, when subject to law, 655.007
- Director of state court responsibilities:
 - Appointment of mediation panels, 655.465
 - Forms, to prepare, 655.01
 - Mediation system:
 - Establishment, 655.42
 - Funding, 655.61
 - Management of mediation fund, report, 655.68
 - Mediation request in court action, 655.445
 - Mediation request prior to court action, 655.44
 - Reports on court action, 655.45
 - Rule-making authority, 655.004
- Exempt health care providers and facilities, 655.003
- Forms, administrator to prepare, 655.01
- Injured patients and families compensation fund, 655.27
 - Claims procedures, 655.27 (5)
 - Fees, 655.27 (3)
 - Limitations on liability, 655.27 (1), (1m)
 - Peer review council, 655.275
- Insurance:
 - Claims paid, insurers to reports, 655.26
 - Minimum amount; limits on liability, 655.23
 - Notice of cancellation or nonrenewal, 655.24

Policy cancellation or nonrenewal, 655.25
Policy forms, 655.24
Policy limitations, 655.245
Liability limits, 655.23
Medical malpractice mediation:
 Creation, 655.42
 Filing fee, 655.54
 Funding system, 655.61
 Mediation fund, 655.68
 Mediation panels, 655.465
 Notice to health care providers and injured patients and families compensation fund, 655.455
 Procedure, 655.58
 Reports to licensing bodies, 655.45
 Request in conjunction with court action, 655.445
 Request prior to court actions, 655.44
 Required, when, 655.43
Minor siblings, claims for loss of society and companionship, 655.016
Remedy, exclusivity, 655.006
Rule-making authority, 655.004
Venue, 655.009 (3)

MEDICAL RECORDS

Access by patient, 146.83
Confidentiality:
 Generally, 146.83
 Parties to legal actions, court authorization to inspect, 804.10
 Privileged communications, nondisclosure in court, 905.04
 Violations of confidentiality, penalties, 146.84
 Worker's compensation claimant waives, 102.13 (2)
Definitions, 146.81
Evidence in court, hearsay exception, 908.03 (6m)
Fetal monitor tracings, preservation of, 146.817
Protected health information, uses and disclosures, 146.816
Regulatory agency reports as evidence, 904.16

MOTIONS

After verdict, 805.14 (5)
 Time for, 805.16
Costs, 814.07
Defenses and objections, made by:
 Generally, 802.06
 Consolidation of defenses in, 802.06 (7)
 More definite statement, motion for, 802.06 (5)
 Striking pleading, motion for, 802.06 (6)
 Time to serve, 802.06 (1)
Directed verdict, 805.14 (4), (5) (d)
 Motion not waiver of jury trial, 805.14 (8)
Discovery:
 Depositions, motion to terminate or limit examination, 804.05 (5)
 Motion to compel, 804.12 (1)
 Protective orders, 804.01 (3) (c)
Dismissal, 805.14 (3), 805.17 (1)
Evidence, challenging sufficiency of, 805.14, 805.17
Form, 802.01 (2)

Mandamus, motion to quash, 783.01
Misdesignation of motion, 805.14 (2)
New trial, 805.15
Objections to pleadings, *see Defenses and objections, under this subhead*
Reconsideration, trial to court, 805.17 (3)
Relief from judgment or order, 806.07
Replevin actions, motions to vacate or modify, 810.05
Seal, motion to, 801.21
Service upon parties, 801.14 (1)
Signing, 802.05
Stay to permit trial in foreign forum, 801.63
Summary judgment, 802.08
Time, enlargement of, 801.15 (2)
When deemed made, 802.01 (2)
Where heard, 807.02

NE EXEAT

Writ:
 Discharge of, 813.15
 Grounds, 813.14
 When granted, who grants, 813.13

NEGLIGENCE

See also Torts
Assumption of risk, abrogation of defense, 895.37
Comparative, 895.045
 Motorcycle, snowmobile, ATV riders; no helmet, recovery not reduced, 895.049
Contributory, 895.045
 Affirmative defenses, pleading, 802.02
Direct action statute, insurers, 803.04 (2)
Fellow servant rule abolished, 895.37
Infant minor, presumption, 891.44
Minor's and spouse's, imputed to auto owner, 895.048
Municipalities, notice of claim, limitation of damages, 893.80
Product liability, 895.045 (3)
Recreational activity participants, limitation of liability, 895.525
 On school grounds or in school buildings, 895.523
Trespassers, duty of care, owed to, 895.529
Volunteer fire company, maximum recovery level for tort actions, 893.80 (3)

NEWSPAPERS

Fees, publishing legal notices, 985.08
Legal notices, generally, Ch. 985
 For detailed analysis, see Legal Notices, Publication
Libel actions, damages, correction, retraction, 895.05
News sources; disclosure, exemption from subpoena, 885.14
Official newspapers:
 City, 985.06
 Municipality, 985.05
 State, 985.04

NONSUIT

Involuntary, abolished, 805.14 (2)

NOTARY PUBLIC

Generally, 137.01

Acknowledgments, 706.07

Notarial acts, uniform law, 706.07

Oaths and affidavits, 887.01

OATHS

1. General Provisions

2. Oaths of Specific Officers and Persons

1. General Provisions

Generally, Ch. 887

Administering, who may:

Generally, 887.01

Judges, 757.02 (3)

Affidavits, *see Affidavits*

Courts:

Administration to witness, 757.01

Testimonial, 906.03

Election matters, duty to administer, 887.02

Formal requirements, how taken, 887.03

How taken, 887.03, 990.01 (24)

Unsworn foreign declarations act, 887.015

2. Oaths of Specific Officers and Persons

Judges, 757.02

Judicial, form, 757.02

Jurors, 756.08 (1)

Officer in charge of, 756.08 (2)

Witnesses:

Courts, 906.03

Foreign deposition, 887.26 (6)

OBSCENITY

Declaratory judgments, 806.05

PARTIES TO ACTION

Administrative actions, judicial review, 227.53

Assignment of interest, action may be continued by or against original party, 803.10 (3)

Attachment, property owner may intervene, 811.26

Capacity, 803.01

Class actions, 803.08

Cross claims and counterclaims, addition of parties, 802.07 (3)

Death, substitution of parties, 803.10

Declaratory relief, 806.04 (11)

Defendant:

Defined, 801.03

Unknown, fictitious names, 807.12

Fees, *see Courts—2. Costs and Fees*

Fictitious names, use, 807.12

Garnishment:

Garnishees, 812.05, 812.15

Impleading 3rd party claimants to property, 812.17

Incompetent persons:

See also Guardian ad Litem

As parties, 803.01 (3)

Continuation if incompetency found during action, 803.10 (2)

Insurance companies, joinder, 803.04 (2)

Interpleader, 803.07

Intervention, 803.09

Joinder:

Claims, all of parties' claims may be joined, 803.02

Cross claims and counterclaims, addition of parties, 802.07

Misjoinder and nonjoinder, effect, 803.06

Necessary parties, 803.03

Permissive joinder, 803.04

Marital property:

Actions affecting, joinder, 803.04 (3)

Creditors, actions to satisfy spousal obligations, 803.045

Minors, 803.01 (3)

Misjoinder, not grounds for dismissal, 803.06

Plaintiff, defined, 801.03

Public officer, death or separation from office, successor substituted, 803.10 (4)

Quo warranto actions, 784.03

Several defendants joined, 784.12

Real party in interest, 803.01 (1)

Real property actions:

In rem and in personam may be joined, 840.05

Necessary party missing, action not to be dismissed, 840.06

Representatives, 803.01 (2)

Separate trials, 803.04 (4)

Substitution of parties, 803.10

Third party practice, 803.05

Transfer of interest, action may be continued by or against original party, 803.10 (3)

Unknown defendants, 807.12

Who may be, 803.01

Wrongful death action, 895.04

PARTNERSHIPS

1. General Provisions

2. Limited Liability Partnerships

1. General Provisions

Action:

Against, members unknown, 807.12

By and against partners and partnership, 178.0307

Deposition of, 804.05 (2) (e)

Garnishee defendant, 812.05 (4)

Parties to actions, 803.01 (2)

Presumptive evidence, from pleadings, 891.29

Redemption of partner's interest, 178.24

Service of summons on, 801.11 (6)

2. Limited Liability Partnerships

Service of process, 178.0912

PENALTIES AND FINES

Abortion, minors, performance without parental consent, 895.037

Abuse, restraining order and injunctions, violations:
Adult-at-risk abuse, 813.123 (10)
Child abuse, 813.122 (11)
Domestic abuse, 813.12 (8)
Foreign protection orders, 813.128 (2)
Global positioning system tracking, 813.129
Appellate procedure, 809.83
Attorney:
Fee-splitting, 757.45
Office with court officers, 757.22 (5)
Practicing without license or under changed name, 757.30
Barratry, 757.295
Children, abuse, restraining orders and injunctions, violations, 813.122 (11)
Contempt:
Courts, generally, 785.04
Witnesses, 885.11
Court commissioners, acting when disqualified, 757.23
Domestic abuse, restraining orders and injunctions, violations, 813.12 (8)
Garnishment law violations, 814.24
Harassment, restraining orders and injunctions, violations, 813.125 (7)
Jurors:
Leave of absence, employer's violation, 756.255
Nonattendance, 756.30
Qualification form, misrepresentations, 756.04 (6) (bm)
Mandamus, peremptory, disobeying, 783.07
Newspapers, legal notices:
Publication in unqualified paper, 985.03 (2)
Refusal to publish, 985.15
Notaries public:
Practicing law without license, 137.01 (1) (i)
Records violations, 137.01 (7)
Personal information, disposal of records containing, 134.97
Scrap metal and plastic sale and purchase, law violations, theft, civil liability, 895.09
Surcharges, 814.75, 814.76, 814.77, 814.78, 814.79, 814.80, 814.81
Court support services, 814.85
Justice information system, 814.86
Penalty, 757.05
Special prosecution clerks, 814.86 (1m)

PETIT JURY

See Juries

PERSONAL INFORMATION

Disposal of records containing, 134.97

PERSONAL INJURIES

See also Accidents; Immunity; Liability

Action, limitation, 893.54
Conditions of settlement, 757.38
Employees, abrogation of defenses, 895.37
Felon's right to recover damages, limits, 895.457
Gang caused injury, cause of action, 895.444
Highways, ice and snow accumulations liability, 893.83
Horses and other equines, immunity from liability, 895.481

Medical expenses, payment of, not admissible to prove liability for injury, 904.09
Negligence, *see Negligence*
Parental liability for acts of minor children, 895.035 (2)
Statement as to, reporter not to take, 757.46
Statement of injured, admissibility, copies, 904.12
Tort actions against municipalities, notice of claim, limitation of damages, 893.80

PERSONAL PROPERTY

Action to recover, statute of limitation, 893.35
Attachment, 811.12
Cotenants, recovery of divisible property held by one, 895.06
Injury, action for, limitations, 893.52
Joint tenancy, recovery of share by cotenant, 895.06
Tenants in common, recovery of share by cotenant, 895.06
Wrongful taking, limitation, 893.51

PHOTOGRAPHS

See Evidence

PHYSICIANS

Artificial insemination, 891.40
Emergency care, civil liability exemption, when, 895.48 (1)
Health care liability, insurance cancellation effect, 655.24
Health care services review:
Civil immunity, 146.37
Confidentiality of information, 146.38
Injured patients and families compensation fund, fees, 655.27
Patient confidentiality:
Parties to legal actions, court authorization to inspect, 804.10
Privileged communications, nondisclosure in court, 905.04
Worker's compensation claimant waives, 102.13 (2)
Peer review:
Confidential, 146.38
Immunity, 146.37
Privilege, physician-patient communications, 905.04
Records, disposal of records containing personal information, 134.97
Sexual exploitation by therapist, 895.441

PLAINTIFF

See Parties to Action

PLEADINGS

- 1. Generally**
- 2. In Special Cases**

1. Generally

Amendment, 802.09

Answer:

See also Defenses

Contents, 802.02, 802.04

Special matters; capacity, fraud, conditions precedent, etc., 802.03

- Small claims actions, 799.20
 - Evictions, 799.42
 - Time to serve, 802.06 (1)
- Borrowing from court, 807.08
- Claims, party may join all, 803.02
- Complaint:
 - Contents, 802.02, 802.04
 - Special matters; capacity, fraud, conditions precedent, etc., 802.03
 - Filing; required to commence action, 801.02
 - Small claims, 799.06 (3)
 - Eviction, 799.41
 - Third party complaint, 803.05
- Construction of, 802.02 (6)
- Contents, generally, 802.02, 802.04
- Copies used if original lost, withheld, 807.06
- Counterclaim and cross claim:
 - Generally, 802.07*
 - Reply to, time to serve, 802.06 (1)
 - Separate trials, 805.05 (2)
 - Small claims actions, 799.02
- Defenses:
 - See also Defenses*
 - Affirmative, 802.02 (3)
 - Denial, failure to make is admission, 802.02 (4)
 - Denials, form of, 802.02 (2)
 - Statute of limitation, how raised, 893.01
 - See also Statutes of Limitation*
 - When and how presented, 802.06
- Errors, harmless, 805.18
- Exhibits, 802.04 (3)
- Filing, 801.14, 801.16
 - Confidential documents, 801.20
 - Electronic, 801.18
 - Protected information, 801.19
- Form, 802.04
 - Language, abbreviations, numbers, etc., 757.18
 - Size, 801.145
- General rules, 802.01, 802.02
- Motions, *see Motions*
- Nonjoinder of persons, pleading reasons for, 803.03 (4)
- Rules of pleading, generally, 802.01 to 802.09
- Service of process, 801.10 to 801.14
 - See also Service of Process and Papers*
- Settlement, offer of, 807.01
- Signatures, 802.05
- Size, 801.145
- Small claims actions, generally, 799.06
 - See also Small Claims Actions*
 - Evictions, 799.40 to 799.43
- Special matters, 802.03
- Summons:
 - Contents, 801.09
 - Filing with court; commences action, 801.02
 - Form, 801.095
 - Service, 801.10 to 801.14
 - For detailed analysis, see Service of Process and Papers*

- In rem or quasi in rem, 801.12
- Required for personal jurisdiction, 801.11
- When deemed served, 801.13
- Who may serve, 801.10
- Small claims actions, 799.05
 - Eviction, 799.43
- Third-party summons, 803.05
- Time to answer, 801.09 (2)
- Supplemental, 802.09 (4)
- Time computations, 801.15
- Types of pleadings, 802.01 (1)
- Unknown defendants, using fictitious names, 807.12

2. In Special Cases

- Contracts:
 - Conditions precedent, 802.03 (2)
 - Sales, 802.03 (7)
 - Tender of payment, procedure, 895.14
- Eviction, 799.40 to 799.43
- Fraud, 802.03
- Garnishment, 812.05
 - Answer, 812.11, 812.14
 - Garnishee summons, 812.04
 - Impleader in garnishment, 812.17
 - Notice to defendant, 812.07 (4)
- Injunction, *see Injunctions*
- Libel and slander, 802.03 (6)
- Medical malpractice, 655.009 (1)
- Mistake, 802.03
- Quo warranto, 784.05, 784.06
- Real property actions, eviction actions, 799.40 to 799.43

POPULAR NAMES AND TITLES OF LAWS

- Acknowledgments, Uniform Act, 706.07
- Certification of Questions of Law, Uniform Rule, Ch. 821
- Declaratory Judgments, Uniform Act, 806.04
- Enforcement of Foreign Judgments, Uniform Act, 806.24
- Foreign-Money Claims, Uniform Act, 806.44
- Good Samaritan Law, 895.48
- Judicial Notice of Foreign Law, Uniform Act, 902.02
- Notarial Acts, Uniform Law on, 706.07

PRESUMPTIONS

- Generally, Ch. 891*
- Adjutant general, certificate, 891.17
- Adverse possession under color of title, 893.26 (5)
- Affidavit of publication, 985.12
- Affidavit of service, 891.18
- Appointment of personal representative, trustee, guardian, 891.32
- Area of towns and counties, 891.28
- Artificial insemination, 891.40
- Authority to seize state timber, 891.04
- Bank book entries, 891.24
- Birth, public record, 891.09
- Certificate of nonfiling, 889.09
- Certifications, *see Evidence—2. Certifications as Evidence*
- Certified copies of public records, 889.08
- Contributory negligence, infant minor, 891.44

Conveyances by public officers, 891.06
 Corporate or company existence, 891.20, 891.31
 Corporate or company meeting, affidavit of notice, 891.21
 County records as to taxation, 891.11
 Credit union book entries, 891.24
 Criminal cases, 903.03
 Death:
 Absence as evidence of, 813.22 to 813.34
 Public record, 891.09
 Deed on judicial sale, 891.06
 Electric wires, what use not adverse, 893.28
 Fire fighters, presumption of employment connected disease:
 Cancer, 891.455
 Heart and respiratory disease, 891.45
 General rule, 903.01
 Infectious disease; employment connection for certain professions, 891.453
 Insurance assessment, certificate of, 891.22
 Intoxication based on percentages of alcohol, drugs in blood, 885.235
 Joint liability, 891.30
 Judicial land sales, 891.07
 Laws of U.S. and other states, 889.02
 Legal title implies possession, 893.30
 Marital or nonmarital child, 891.39
 Marriage, public record, 891.09
 Motor vehicles, presumption of operation and registration by owner, 885.237
 Official bonds, due execution, 891.35
 Partnership, from pleadings, 891.29
 Paternity, 891.405, 891.41
 Time of conception, 891.395
 Public land commission, certificate of title, 891.14
 Public lands, receipt gives title, 891.12
 Public officers' certificates, 889.10
 Radioactive waste emergencies, presumption of harm, 895.065 (3)
 Record showing revenue stamps, 891.08
 Return of constable or sheriff, 891.37
 Savings and loan association book entries, 891.24
 Seal as evidence of consideration, 891.27
 Signature, genuineness, 891.25
 State land patents, 891.05
 State lands, title or interest, 891.03 to 891.04
 Summons, certificate of officer as to time of receipt, 891.38
 Title to realty, establishment, 893.30
 Village, organization of, 891.10

PRETRIAL PRACTICE

See also Discovery; Motions; Pleadings

Alternative dispute, 802.12
 Calendar practice, 802.10
 Continuances, 753.22
 Dismissal, voluntary, 805.04
 Failure to prosecute; sanctions, dismissal, 805.03
 Injunctions, *see Injunctions*
 Judge assignment, 751.03, 801.59
 Substitution, 801.58

Preliminary hearings on defense motions, 802.06 (4)
 Pretrial conferences, 802.10 (5)
 Referees, 805.06
 Scheduling conferences, 802.10
 Settlement offers, 807.01
 Stay of proceedings, *see Stay of Proceedings*
 Subpoena, 805.07
 See also Subpoenas
 Summary judgment, 802.08

PRIVACY

Limitation of actions, 893.57
 Survival of actions, 895.01

PRIVILEGED COMMUNICATIONS

Generally, Ch. 905

Abused or injured children, 905.04 (4)
 Admissibility, 905.12
 Allowable privileges, 905.01
 Chiropractor-patient, 905.04
 Worker's compensation claimant waives, 102.13 (2)
 Clergy, communications to, 905.06
 Crime victims compensation proceedings, 905.14
 Domestic violence or sexual abuse advocate, 905.045
 Exceptions to medical communications, 905.04 (4)
 Farmer assistance programs, communication in, 904.15
 Federal tax information, use of, 905.15
 Gunshot and suspicious wounds reporting, not privileged, 905.04 (4)
 Honesty testing devices, 905.065
 Husband and wife, 905.05
 Informants' identification, 905.10
 Interpreters, 905.015
 Judicial misconduct and permanent disability proceedings, 757.94
 Jury instructions or knowledge, 905.13
 Law enforcement records, 905.09
 Lawyer-client, 905.03
 Mediation communications, 904.085
 Nurse-patient, 905.04
 Paternity proceedings, 905.04 (4)
 Physician-patient, 905.04
 Worker's compensation claimant waives, 102.13 (2)
 Precluded privileges, 905.01
 Psychologist-patient, 905.04
 Reports required by statute, 905.02
 School psychologists, 885.205
 Sexual abuse or domestic violence advocate, 905.045
 Trade secrets, 905.08
 University deans, psychologists, students, 885.205
 Veteran mentors, 905.16
 Votes, 905.07
 Waiver of privilege by voluntary disclosure, 905.11

PROHIBITION, WRIT OF

Generally, Ch. 783

Attachment to enforce, 783.09
 Commencement of action, 801.02 (5)

Extraordinary remedy:
As final judgment or provisional remedy, 781.01
Temporary relief, 781.02
Transmittal of record, 781.03
How and when issued, 783.08
Judgment, 783.12
If return adopted, 783.13
Proceedings if return not adopted, 783.11
Proceedings on return, 783.10
Return, party adopting, defendant, 783.10
Service and return of writ, 783.09
Supreme court, practice, jurisdiction, 783.08
Time of stay excepted from statute of limitation, 893.23
Writ of consultation, when issued, 783.12, 783.13

PROOF OF SERVICE

See Service of Process and Papers

PUBLIC RECORDS

See also Evidence; Presumptions

Artificial insemination, closed, 891.40
Court, *see Circuit Courts—2. Clerks of Court; Courts*
Custodian, copies, duty to make, 889.18 (3)
Destruction, relief from, 891.43
Evidence, *see Evidence*
Judicial commission proceedings, confidentiality, 757.87
Jurors, lists, open records, 756.04
Patient records in mediation panel confidential, except to parties, 655.58 (4)
Record subjects; notice of request, right of action, appeals, time limit, 808.04 (1m)
Statute of limitation on actions involving, 893.90 (2)

PUNITIVE DAMAGES

See Damages

QUESTIONS OF LAW RULE, UNIFORM CERTIFICATION

Generally, Ch. 821

QUO WARRANTO AND SCIRE FACIAS

Generally, Ch. 784

Action substitute for writs, 784.01
Arrest of defendant, bail, 784.05
Attorney general to bring, 784.04
Books and papers, delivery, refusal misdemeanor, 784.10
Commencement of action, 801.02 (5)
Complaint, contents, 784.05, 784.06
Continuance, 784.07
Damages for usurping office, 784.11
Expiration of term does not abate, 784.08
Extraordinary remedy:
As final judgment or provisional remedy, 781.01
Temporary relief, 781.02
Transmittal of record, 781.03
Form of:
Discontinued, 784.01
Supreme court may use, 784.01

Judgment, 784.08
Against usurper, 784.13
Motion to dismiss, proceedings on, 784.07
Officer who has forfeited office, 784.04
Parties defendant, several claimants, 784.12
Pleading when defendant in office, 784.06
Private person may bring, 784.04 (2)
Relator:
Joined with state as plaintiff, 784.03
To take office and demand books, 784.09
Trial takes precedence, 784.07
When and how tried, 784.02

RECEIVERS

Absentee's property, 813.23 to 813.34
Bond:
Absentee's property, 813.23
Sureties, conditions, 813.16 (6)
Business corporations, 180.1432
Creditors' actions:
Appointment, 128.08
Removal or death, 128.10
Settlement of accounts, 128.20
Grounds for appointment, 813.16
Heir or legatee, remedy against, 813.026
Insurance companies, commissioner notified, 813.05
Judge's liability for discharging or appointing, 757.24
Nonstock corporations, 181.1432
Partner's interest, judgment lien against, 178.24
Preferred creditors, 813.17
Soldiers' and sailors' property, 813.23 (1) (b), 813.24, 813.26 (3)
State and U.S. preferred creditors, 813.17
Wages and taxes, to pay first, 813.17

REPLEVIN

Generally, Ch. 810

Bond, by defendant, 810.06
Care of property by sheriff, 810.10
Claims of third parties, indemnity, 810.11
Concealed property, how taken, 810.09
Delivery, plaintiff may claim, 810.01
Execution, when enforced on sureties, 810.15
Filing of papers in by sheriff, 810.12
Findings required, 810.13
Judgment, 810.14, 810.15
Against sureties, 810.15
Justification of sureties, 810.07, 810.08
Motion to vacate or modify, 810.05
Notice, small claims actions, 799.16 (4)
Order directing return of property, 810.02
Plaintiff:
Demand on sheriff, 810.03
May claim delivery, 810.01
Procedure when property is claimed by nonparty, 810.11
Property:
How kept by sheriff, 810.10
When returned to defendant, 810.06
Requisition to sheriff, 810.03

Return of property to defendant, 810.06
Sheriff:
 Return, time limit, 810.12
 Right to enter, 810.09
Small claims procedure, applicability, 799.01
Sureties:
 Exception, justification, 810.05
 Justify before judge, 810.08
Tenant from cotenant of personalty, 895.06
Verdict form, 810.13

RESTITUTION

Eviction actions, execution of writ, 799.45
Garnishment, exempt from, 812.18
Hearings, rules of evidence, 911.01 (5)
Reversal of judgment, 806.09

SELF-INCRIMINATION

Actions for public moneys, immunity, 885.24
Bribery of agent or employee, 885.15
Corporations, actions by state, 885.25
Limited liability companies, actions by state, 885.25
Mother testifying as to marital or nonmarital child, 891.39
Privilege, civil cases, 905.13
State actions against corporations and limited liability companies, immunities to agents and employees, 885.25

SERVICE OF PROCESS AND PAPERS

Generally, 801.10 to 801.14
Affidavit of service, 891.18
Appellate procedure, 809.80
Attorney general, unconstitutionality of statute or ordinance, service required, 806.04 (11)
Attorney, service of pleadings on, 801.14 (2)
Corporations, service upon:
 Generally, 180.0504, 801.11 (5)
 Foreign, 180.1510
 Nonstock, 181.0504
Eviction actions, 799.16 (3), 799.42
Facsimile machine transmission, 801.14 (2)
Garnishment:
 Answer, 812.11 (7)
 Substituted service on employer, 812.02 (2) (b)
 Summons and complaint, generally, 812.07
In rem or quasi in rem jurisdiction, 801.12
Insurance companies, service upon, 801.11 (5)
Limited partnership, 801.11 (6)
Mail service, 801.14
 Registered or certified, use of, 990.001 (13)
Military exemption from civil process, limitations, 893.21
Nonresident:
 Corporations, 180.1510, 801.11 (5)
 Nonstock, 181.1510
 Limited partnerships, substituted service, 179.88
 Motor carriers, 194.10, 345.09
Partnerships, 801.11 (6)
 See also Limited partnership, under this head
Persons, service upon, 801.11 (1), 801.14
Pleadings, 801.10 to 801.14

Political corporations, 801.11 (4)
Proof of service, 801.10
 Presumptive evidence of service, 891.18
 Presumptive evidence of time of service, 891.38
Publication, method, 801.11 (1) (c)
Sheriff, fees, 814.70 (1)
Small claims actions, 799.12, 799.16
 Publication, 799.16 (2), (4)
State:
 Service on, generally, 801.11 (3)
 Unconstitutionality of statute or ordinance, serve attorney general, 806.04 (11)
Subpoena, 805.07
 How and by whom, 885.03
Substituted service, 801.11 (1) (b)
Sureties, discharge application, 895.38 (2)
Time, computation, enlargement, 801.15
Unconstitutionality of statute or ordinance, serve attorney general, 806.04 (11)
Unknown defendants, fictitious names, 807.12
When summons deemed served, 801.13
Who may serve, 801.10 (1)
Writ of attachment, 811.10

SIGNATURES

Construction of laws, 990.01 (38)
Electronic signatures, *see Electronic Transactions and Records*
Presumed genuine, limitation, 891.25

SKIING AND ALPINE SPORTS

Assumption of risk, limitations on liability, 895.526

SMALL CLAIMS ACTIONS

Generally, Ch. 799
Adjournments, 799.27
Answer, 799.20
Appeal, 799.30
Appearance, 799.06
Appellate procedure, 809.40
 Appeals as of right, 808.03 (1)
Arbitration agreements, 788.015
 Court actions regarding, 799.01, 799.06, 799.213
Attorney fees, 799.25
Case file, 799.10
Clerk, duties, 799.07, 799.10
Costs, 799.25
Counterclaims, 799.02
Court commissioner:
 Procedure, 799.209
 Proceedings before, 799.207
 Return date proceedings before, 799.206
Cross complaint, 799.02, 799.20
Default judgments, 799.29
Defenses, schedule trial, 799.20 (4)
Dismissal of pending actions, 799.225
Docket, 799.10
Earnest money, court action for return, 799.01, 799.05, 799.06

Eviction:

- Adjournments, 799.16 (3) (b)
- Appeals, 799.445
- Applicability of procedure, 799.01
- Commencement of action, 799.40 (1)
- Complaint, 799.41, 799.42
- Defendant's pleading, 799.43
- Joinder of other claims, 799.40 (2)
- Notice, 799.16 (4) (c)
- Order for judgment, 799.44
- Posting and mailing notice, summons and complaint, 799.16 (3)
- Summons, return date, 799.05 (3)
- Writ of restitution, 799.44, 799.45
- Evidence rules, applicability, 911.01 (4)
- Fees, 799.255
 - Clerk of court, 814.62
- Findings, 799.215
- Forfeiture action, applicability of small claims procedure, 799.01
- Forfeiture tickets, clerk to keep file, 799.07
- Forms, 799.04 (2)
- Garnishment, procedure, 799.01
- Judgment, 799.215, 799.24
 - Limitation on, 799.16
 - Nonappearance, 799.22
- Money damages, disclosure of assets requested, 799.26
- Newly discovered evidence, 799.28 (2)
- Pleading in lieu of appearance, 799.22 (4)
- Pleadings, 799.06
- Pretrial conference, may be conducted by telephone, 799.208
- Procedure, 799.04, 799.209
- Proceedings before court commissioner, 799.207
- Public information re procedures, 799.09
- Replevin, applicability, 799.01
- Return date, proceedings before court commissioner, 799.206
- Service, 799.12
 - Failure, vacate judgment, 799.14
 - Jurisdiction in rem or quasi in rem, 799.16
- Stipulated dismissal, 799.24 (3)
- Stipulations, 799.29 (2)
- Substitution of judge, 799.205
- Summons:
 - Clerk to keep file, 799.07
 - Return date, form, 799.05
- Telephone conferences, 799.04 (1)
- Trial:
 - By court, by jury, 799.21
 - New, 799.28
- Venue, 799.11
- Warrants for arrests, clerk to keep file, 799.07

SPECIAL VERDICTS

Generally, 805.12
See also Trials

STATUTES

1. Construction

2. State Statutes Generally

1. Construction

Generally, Ch. 990

- Actions, rights not affected by repeal, 990.04
- Acts by agent, 990.001 (9)
- Bonds, liability of sureties, 990.001 (10)
- Certification of questions of law, 821.11
- City classes, statutory reference to, 990.001 (15)
- Conflicts, 1898 statutes, 990.02
- Definitions with general application, 990.01
- Evidence code, 901.02
- Gender, 990.001 (2)
- General rules, definitions, 990.01
- History notes no part of statute, 990.001 (6)
- Joint authority, 3 or more public officers, 990.001 (8)
- Mail, registered or certified, 990.001 (13)
- Numerical series, statutory reference to, 990.001 (14)
- Quorum, 990.001 (8m)
- Repeals, effect:
 - Actions and rights not affected, 990.04
 - Effect, 990.03
 - Time for bringing actions, 990.06
- Revised statute, how construed, 990.001 (7)
- Rules, 990.001
- Saturday, when acts to be done next business day, 990.001 (4)
- Severability, 990.001 (11)
 - Certification of questions of law, 821.10
- Singular and plural, 990.001 (1)
- Statute references:
 - References to decimal-numbered statutes, 990.001 (5)
 - Reference to following section, 990.01 (9)
 - Reference to preceding section, 990.01 (30)
- Statutes of 1898, 990.02
- Surety, liability of, 990.001 (10)
- Technical words, 990.01 (1)
- Tenses, 990.001 (3)
- Time:
 - How computed, 990.001 (4)
 - Standard, 990.001 (12)
- Titles not part of statute, 990.001 (6)
- Unconstitutionality alleged, declaratory judgment action, 806.04 (11)

2. State Statutes Generally

- Certified copies by state law librarian, 889.03
- Constitutionality challenged, 893.825
- Evidence, prima facie, 889.01, 990.07
- Injunction of enforcement and orders pursuant to statute; limitations, appeals, 813.025
- Revision, how construed, 990.001 (7)
- Unconstitutionality alleged, serve attorney general, 806.04 (11)

STATUTES OF FRAUDS

- Acknowledgment or new promise, 893.45

STATUTES OF LIMITATION

- Absence from state, time excepted, 893.19
- Accounts, mutual and open, when action accrues, 893.64
- Acknowledgment:
 - Who not bound by, 893.46
 - Writing necessary to stop statute, 893.45
- Actions, when deemed commenced, 893.02
- Advance payment of damages, limitation extended, 893.12
- Adverse possession:
 - Affidavit of interruption, 893.305
 - Against state or political subdivisions, 893.29
 - Entry as interruption, 893.32
 - Founded on recorded title claim and payment of taxes, 893.27
 - Founded on recorded written instrument, 893.26
 - Not founded on written instrument, 893.25
 - Section lines, 893.24
- Alien enemy, application to, 893.20
- Annexation, action to test validity, 893.73 (2) (b)
- Bank bills excepted, 893.65
- Bank money order, action for payment, 893.63
- Banks, actions against directors, stockholders, members or managers, 893.60
- Bonds, public officers and employees, default, recovery, 893.90
- Borrowing statute, 893.07
- Business closing notification law, 893.97
- Cashier's checks, action for payment, 893.63
- Certified check, action for payment, 893.63
- Certified public accountants, actions against, 893.66
- Character, injury to, 893.53
- Child support actions, 893.415
- Cities, claims against, 893.80
- Civil actions, pleading defense of limitation, 893.01
- Claim filed in circuit court begins action, 893.03
- Claims against:
 - Governmental bodies or officers, agents or employees, 893.80
 - State employees and officers, 893.82
- Computation of time, 893.04
- Contracts:
 - Actions relating to, 893.43
 - By city or village, action to contest, 893.75
 - Governmental obligations, 893.61
 - Omnibus provision, 893.50
 - Payments, effect of, 893.48, 893.49
- Contracts to marry, property procured by fraud, 893.41
- Contribution, action for, 893.92
- Conversion, 893.35, 893.51
- Counterclaim, limitation on use of a right of action as, 893.14
- County seat change, contesting, 893.71
- Court judgments, actions relating to, 893.40, 893.42
- Dealership practice law, 893.93 (3) (b)
- Death of parties, effect, 893.22
- Decedents' estates, actions against, 893.93 (1) (c)
- Defense, limitation on use of a right of action as, 893.14
- Disabilities, effect, 893.16 to 893.18
- Elections, campaign financing, civil action arising from violation, 893.90 (2)
- Escape, action against officer, 893.93 (3) (a)
- Extended limitations, 893.10 to 893.23
- Extension of time because no person to sue, 893.11
- Family and medical leave, civil remedies, 893.96
- Family support actions, 893.415
- Financial corporations or limited liability companies, actions against directors, stockholders, members or managers, 893.60
- Financial transactions, actions related to, 893.60 to 893.65
- Foreign corporations, 893.19
- Foreign statute of limitation, application, 893.07
- Forest fires, action to collect expenses for fighting, 893.91
- Forum, non-Wisconsin, effect of action on Wisconsin cause of action, 893.15
- Fraud, relief, 893.93 (1) (b)
 - Relief, state case, 893.87
- Fraudulent transfers, 893.425
- Gang caused injury, 893.93 (1) (e)
- Governmental decisions or organization, actions relating to, 893.70 to 893.77
- Governmental obligations, actions related to, 893.61
- Governmental officials, action against, 893.70
- Health care benefits cessation, failure of employer to notify, 893.98
- Highway grade, flooding, damages, 893.59
- Home care consumer or worker notice violations, 893.99
- Incident, 893.587
- Indigent defendants, recovery of legal fees paid for, 893.86
- Insane persons, 893.16 to 893.18
- Insurance death claim based on absence, 813.22
- Insurance policies, 631.83
- Intentional torts, 893.57
- Joint liability, contractors:
 - Actions against, 893.47
 - Payments, 893.48, 893.49
- Judgment of court not of record, 893.42
- Judgment or decree of court of record, 893.40
- Liability created by statute, 893.93 (1) (a)
- Livestock, secured, 893.36
- Lobbying law, civil action arising from violation, 893.90 (2)
- Long-term care providers, 893.555
- Marital property, agreements, 893.135
- Medical malpractice, 893.55, 893.80 (1m)
 - Minor's actions, 893.56
 - Tolled by mediation request, 655.44 (4)
- Military exemption from civil process, effect of, 893.21
- Mining damage claims, 893.925
- Minors, 893.16 to 893.18
- Municipal bonds or contracts, 893.61
- Municipal contracts, 893.75
- Municipal forfeiture or penalty, recovery, 893.93 (2) (b)
- Municipal obligation, validity of, 893.77
- Municipal power and water districts, when bond issues incontestable, 893.77 (3)
- Municipalities, claims against, notice required, 893.80
- New promise must be in writing, 893.45
- Old-age assistance liens, 893.85

Organ and bone marrow donation leave, civil action
893.965
Paternity, determination action, 893.88
Payments:
By joint obligor, 893.49
Contracts, bonds and other obligations, 893.61
On written obligation, 893.48
Personal injury, 893.54
Personal property:
Actions for damages, 893.52
Actions to recover, 893.35, 893.51
Personal services, compensation for, 893.44
Prescriptive rights by adverse user, 893.28
Prisoners, 893.16 to 893.18
Contesting governmental decisions, 893.735
Product liability, 895.046 (5)
Public records, actions concerning access, 893.90 (2)
Racketeering violations, 893.94
Railroad grade, flooding, damages, 893.59
Razing buildings, restraining order, 893.76
Real property actions, 893.24 to 893.33
Defective improvements, 893.89
For damages, 893.52
Legal title, presumption of possession, 893.30
Repeal of, 990.06
Right and remedy, relation of statute of limitation to, 893.05
Salary or wages, 893.44
School district formation, validation, 893.74
Seduction, 893.58
Service of process, false information extends limitation,
893.10
Settlement and advance payment of claim for damages,
885.285 (4), 893.12
Sexual assault of a child, 893.587
Special assessments, actions contesting, 893.72
State:
Cases, 893.87
Claims against, 893.80
Employees and officers, claims against, 893.82
Statutes, constitutional challenges, 893.825
Statute penalty or forfeiture, private party, 893.93 (2) (a)
Stay of proceedings, time excepted, 893.23
Support actions, 893.415
Surveys by engineer or land surveyor, 893.37
Tenant's possession that of landlord, 893.31
Therapist, sexual exploitation by, 893.585
Time, how computed, 893.04
Time-share actions, tolling of statute, 893.137
Tolled limitations, 893.10 to 893.23
Actions by alleged felons arising from crime, 895.78
Tort actions, 893.51 to 893.59
Tort actions against governmental bodies, employees,
notice, 893.80
Town, division or dissolution, 893.73 (1) (b)
Town sanitary district creation, review of orders,
893.73 (2) (a)
Trade secrets, misappropriation, 893.51 (2)
Unclaimed property, civil remedies, 893.95
Usury, 893.62

Vocational school district bonds or contracts, 893.61
Wire or oral communications, interception and disclosure,
893.93 (1) (d)
Wrongful death, 893.54
Zoning ordinance, action to contest, 893.73 (1) (a)

STAY OF PROCEEDINGS

See Civil Procedure

STIPULATIONS

*See Attorneys; Depositions; Garnishment; Small Claims
Actions*

SUBPOENAS

Arbitrators, may issue, 788.06
Courts issue, 757.01
Form, 805.07 (4), 885.02
Health care provider records, 908.03 (6m) (c)
Issuance, 805.07, 885.01
Jurisdictional extent, 885.01
Municipal judge, service in state, 885.04
News sources; disclosure, exemption from subpoena,
885.14
Power to issue, 885.01
Production of material, requiring, 805.07 (2)
Protective orders, 805.07 (3)
Telephone conference, 805.07 (6)
Seal not required, 885.01
Service, 805.07
How made, 885.03
Who may issue, 805.07, 885.01
Witness:
Before referee, 805.06 (4) (b)
To leave state, 887.25

SUMMARY JUDGMENT

Generally, 802.08

SUMMONS

See Pleadings

SUPREME COURT

Generally, Ch. 751

1. General Provisions

2. Clerk

3. Justices

1. General Provisions

Appellate procedure, *see Appellate Procedure*
Appropriation, transfer of funds for judicial council, 751.20
Certification of questions of law, generally, Ch. 821
*For detailed analysis, see Appellate Procedure—
3. Supreme Court*

Court rules, establishment:

Delinquent support, unemployment contribution, and tax
obligors, request for rules regarding practice by,
751.15, 751.155

Pleading, practice and procedure, 751.12

Citation in statutes, 990.08

Procedure, *see Appellate Procedure*
 Records and exhibits of all courts, 757.54
 Reports, distribution, 751.11
 Decisions, 751.10
 Publication, 751.11
 Election contests, mandamus, 783.03
 Employees, 751.02
 Interpreters, 885.37
 Judgments:
 Docketing in circuit court, 806.16
 Enforcement, 751.08
 Judicial notice, ordinances and rules, 902.03 (1)
 Jurisdiction:
 Appellate, 751.05, 751.06
 Bypass of court of appeals, 808.05, 809.61
 Original jurisdiction, 751.09, 809.70
 Review of court of appeals decision, 808.10
 Supervisory jurisdiction, 809.71
 Law library, court to maintain, 758.01
 Mandamus, election cases, 783.03
 Opinions, *see Decisions, under this subhead*
 Reporting testimony in courts of record, 757.55
 Seal, 751.04
 Videotape procedure, *see Depositions*
 Writs, 751.07
 Of prohibition, practice, 783.08
 Of scire facias and quo warranto, 784.01

2. Clerk
 Fees, copy of judgment, 806.16
 Legal advice, clerk not to give, 757.22

3. Justices
 Assignment to other courts, 751.03
 Chief, assignment of judges, 751.03
 Judicial council, membership, 758.13
 Judicial misconduct and permanent disability proceedings:
 Review, 757.91
 Temporary suspension of judges, 757.95
 Oath, form, 757.02
 Reserve judge, service of former justice, 753.075
 Term, elected justices, 751.01

SURETIES
 Discharge, by deposit of liability, 895.33
 Insufficient, new bond, 895.34
 Liability, on new bond as on old, 895.34
 Limitation of liability, purposes, 895.33
 Premium to, taxed as costs, 814.14

SURVEYORS
 Statute of limitation as to surveys, 893.37

SURVIVAL OF ACTIONS
Generally, 895.01
 Attached property, execution after death, 811.25
 Continuation of pending action on death, incompetence,
 803.10

Damages against personal representative, 895.02
 Statute of limitation, 893.22
 Substitution of parties on death or incompetence, 803.10
 Wrongful death, *see Wrongful Death*

TELEPHONE AND AUDIOVISUAL PROCEEDINGS

Generally, 807.13
 Amended pleadings, motion hearings, 802.09 (5)
 Appeals, defective record, motion to correct, 809.15 (3)
 Conferences, 807.13 (3)
 Consolidation of trials, conferences, 805.05
 Costs and fees, review, 814.10
 Defenses and objections, motions, 802.06 (9)
 Depositions:
 See also Depositions
 Objections, court ruling on, 804.05 (4) (b)
 Participation by telephone, 804.05 (8)
 Discovery motions, 804.12 (5)
 Evidentiary hearings, 807.13 (2)
 Forum change, stay of proceedings, 801.63
 Injunction, temporary, telephone conference prior to
 granting, 813.02 (1)
 Interpreters, 807.14
 Judge, assignment of, notice to parties, 801.59
 Motions:
 Generally, 807.02
 After verdict, telephone hearings, 805.14 (5)
 Discovery, protective orders, 804.01 (3) (c)
 Misjoinder and nonjoinder motions, 803.06 (1)
 Subpoenas, protective orders, 805.07 (6)
 Third-party motions, 803.05 (3)
 New trial motions, 805.15
 Oral arguments:
 Generally, 807.13 (1)
 Court of appeals, 752.31 (3), 809.22 (4)
 Scheduling conferences, 802.10
 Small claims actions, 799.04 (1), 799.208
 Stipulations, 807.05
 Summary judgment motions, 802.08 (7)
 Venue, motion to change, 801.53
 Videoconferencing:
 Applicability, 885.64
 Civil cases, 885.58
 Court discretion, criteria, 885.56
 Criminal cases, 885.60
 Definitions, 885.52
 Intent statement, 885.50
 Special proceedings, 885.58
 Technical and operational standards, 885.54
 Waivers and analysis, 885.62
 Videotape, *see Depositions; Trials*

TIME
 Computation, generally, 990.001 (4)
 Appellate procedure, 809.82
 Motions after verdict, 805.16
 Pleading, 802.03 (8)
 Publication of notices, 985.09

Rules of procedure, 801.15
Statute of limitation, 893.04
Definition, 990.001 (12)

TORTS

See also Accidents; Immunity; Liability; Negligence; Personal Injuries

Agreements to limit or eliminate liability void, 895.49
Assumption of risk:
 Defense abrogated as to employees, 895.37
 Recreational activity participants, 895.525
 On school grounds or in school buildings, 895.523
Governmental subdivisions, actions against, notice of claim, limitation of damages, 893.80
Statute of limitation, 893.51 to 893.59
 Contribution actions, 893.92
Volunteer fire company, maximum recovery level for tort actions, 893.80 (3)
Wrongful death, *see Wrongful Death*
Wrongful taking of personal property, limitation, 893.51

TRIALS

Arguments, 805.10
Burden of proof, *see Burden of Proof*
Calling of witnesses by judge, 906.14
Consolidation of actions, 805.05 (1)
Continuances, 753.22
Costs, *see Courts—2. Costs and Fees*
Court, trial to, 805.17
 Death of party, effect on findings, 803.10 (5)
Damages:
 See also Damages
 Contributory and comparative negligence, 895.045
 Motorcycle, snowmobile, ATV riders; no helmet, recovery not reduced, 895.049
 Property crimes, civil liability, 895.446
 Punitive damages, 895.85
Default judgment, failure to appear, 806.02 (5)
Depositions:
 Use in court proceedings, 804.07
 Use in several actions, 887.17
Dismissal of action:
 Failure to prosecute, 805.03
 Voluntary, 805.04
Evidence, *see Evidence*
Harmless errors, 805.18
Interpreters, 885.37, 885.38
Interrogatories, use, 804.08 (2)
Judge disqualified, procedure, 801.56
Judgment, *see Judgments*
Judicial notice:
 Generally, Ch. 902
 Adjudicative facts, 902.01
 Administrative rules of state and federal agencies, 902.03
 City ordinances, 902.03
 County ordinances, 902.03
 Foreign laws, 902.02
Jury trial:
 See also Juries

Advisory jury, 805.02
Charge to jury, 805.13
Consent to, where no right, 805.02
Demand required, 805.01 (2)
Five-sixths verdict, 805.09 (2)
Instructions to jury, 805.13
Jurors:
 See also Jurors
 Challenges, 805.08 (3)
 Charge to jury, 805.13
 Notes taken by jury, 805.13 (2)
 Peremptory challenges, 805.08 (3)
 Qualifications, 805.08 (1)
 Selection, number, 756.06, 805.08 (2)
 Peremptory challenges, 805.08 (3)
 Right to jury, 805.01 (1)
 Consent to, where no right, 805.02
 Small claims actions, 799.21
Verdict:
 Generally, 805.12
 See also Verdicts
 Unanimity, 805.09 (2)
 View of property, 805.08 (4)
 Waiver, 805.01 (3)
 Nonwaiver of jury trial, by motion to direct verdict, 805.14 (8)
Jury, *see Juries*
Mandamus, issues, procedure, 783.03
Motions after verdict, 805.14 to 805.16
New trial:
 Generally, 805.15
 Postconviction relief, 809.30
 Small claims actions, 799.28
 Supreme court, may order, 751.06
Objections, 805.11
Open court, 757.14, 807.04
Presumptions, generally, Ch. 903
 For detailed analysis, see Presumptions
Quo warranto, 784.02, 784.07
Referee:
 Death of party, effect or finding, 803.10 (5)
 Submission of matter to, 805.06
Separate, 805.05 (2)
 Court may order, 803.04 (4)
Small claims actions, 799.21
Stay of proceedings to permit trial in foreign forum, 801.63
 See also Civil Procedure
Substitution of judge, 801.58
Testimony, reporting, 757.55
Venue, *see Venue*
Verdict:
 Conference with counsel regarding, 805.13 (3)
 Five-sixths of jury may effect, 805.09 (2)
 Replevin, contents, 810.13
 Void, if after death of party, 803.10 (5)
Videotape:
 Generally, 885.40
 Availability, 885.42
 Costs, 885.45

Custody and preservation, 885.46
Definitions, 885.41
Playback equipment, 885.47

Witnesses:

See also Evidence; Witnesses

Calling, by judge, 906.14

Examination, 805.10

Failure to appear, 885.11

Writ of prohibition, 783.10, 783.11

UNIFORM LAWS

Acknowledgments, 706.07

Certification of questions of law rule, Ch. 821

Declaratory judgment, 806.04

Foreign judgments, enforcement, 806.24

Foreign-money claims act, 806.30 to 806.44

Interstate enforcement of domestic violence and protection orders act, 813.128

Judicial notice of foreign laws, 902.02

Notarial acts, 706.07

Unsworn foreign declarations action, 887.015

VENUE

Generally, 801.50 to 801.63

Administrative orders, review of, 227.53

Challenges to, 801.51

How presented, 802.06 (2)

Change of venue, generally, 801.50 (6)

County liability for costs, 814.22

Discretionary, 801.52

Legislative policy finds, ethics and elections actions, 801.64

Fees of clerk of court, 814.61 (2)

Foreign forum, to permit trial in, 801.63

Judge disqualified, 801.56

Motion for, determination of, 801.53

Renewal of application for, 801.62

Reversal or setting aside of order, 801.62

Statement of fees, 801.61

Transmission of papers to new court, 801.61

Child abuse restraining orders, 801.50 (5s)

Consumer transactions, 799.11 (1), 801.50 (5m)

Court of appeals, 752.21

Defects, effect, 801.50 (1)

Domestic abuse action, 801.50 (5r)

Habeas corpus, 801.50 (4)

Inconvenient forum, 801.63

Injunction, temporary, 813.02

Jurisdiction, *see Jurisdiction*

Medical malpractice, 655.009 (3)

Metropolitan sewerage commissions, claims against, 801.50 (5p)

Naturalization proceedings, 753.065

Parole, revocation, 801.50 (5)

Probation, review, 801.50 (5)

Small claims actions, 799.11

Special proceedings, 801.50

State, as defendant, 801.50 (3)

Appeals, 752.21 (2)

Tribal courts, discretionary transfer of civil cases to, 801.54

VERDICTS

See Trials

VIDEOTAPE

Court procedure, *see Trials*

VILLAGES

Actions and claims against:

Adverse possession against, 893.29

Highway ice and snow accumulations, claims based on, 893.83

Officers and employees, actions against:

Damages, costs, 895.46

Expenses, 895.35

Notice of claim, limitation of damages, 893.80

Procedure:

Generally, 893.80

Summons, service on town, 801.11 (4)

Recreational activities liability, immunity, 895.52

Statute of limitation:

Generally, 893.80

Adverse possession, 893.29

Contracts, limitation on actions attacking, 893.75

Governmental decisions generally, challenges, 893.73

Municipal obligations, contest, 893.77

Payments on contracts, bonds and other obligations, 893.61

Razing or repairing buildings, sites; contesting orders, 893.76

Special assessment contest, 893.72

WARRANTIES

Insurance contracts, 631.11

WARRANTS

Costs, how limited, 814.04

Delinquent income tax, filing of duplicate copy by revenue department, 806.115

Fees of clerk of court, 814.61 (5)

WITNESS FEES

Generally, 814.67, 885.05

Expert witnesses, 814.04 (2)

Indigent defendant, defense witnesses, 885.10

Indigent witness, 885.09

Nonresident witness, 885.09

Prepayment requirements, 885.06

State witnesses, civil action, 885.07

Taxation, proof required, 814.11

WITNESSES

Generally, Chs. 885, 906

See also Evidence

Actions against public officers, 885.24

Affirmation instead of oath, 906.03
 Attachment, 885.11 (2), 885.12
 Attendance, before referee, 805.06 (4) (b)
 Audiovisual oral statements of children, 908.08
 Bias or prejudice, admissibility, 906.16
 Calling by judge, 906.14
 Character, evidence of, 904.04 (1) (c), 906.08
 Child witnesses, audiovisual oral statements, 908.08
 Coercing before officers, 885.12
 Competency, general rule, 906.01
 Conduct, evidence of, 906.08
 Contempt, for not testifying, 885.11
 Corporations and limited liability companies, agents, immunity, 885.25
 Court appointed experts, compensation, 907.06
 Cross-examination, scope, 906.11
 Deemed sworn, when, 887.03
 Depositions, *see Depositions*
 Examination, 805.10
 Exclusion of, 906.15
 Expert:
 Bases of opinions, 907.03
 Disclosure of facts or data underlying opinion, 907.05
 Testimony, 907.02
 Extradition, in civil actions, 887.25
 Failure to attend, damages, contempt, 885.11
 Fees, *see Witness Fees*
 Harassment, judge to protect from, 906.11 (1)
 Husband and wife, competency in nonmarital cases, 891.39
 Immunity, *see Self-Incrimination*
 Impeachment, 906.07
 By evidence of conviction of crime, 906.09
 Interpreters, 906.04
 Interrogation by judge, 906.14
 Interrogation, mode and order, 906.11
 Judges:
 If kin to attorney, 757.67
 Presiding, may not testify at trial, 906.05
 Jurors, 906.06
 Lay witnesses, opinion testimony by, 907.01
 Leading questions, 906.11 (3)
 Legislator, entitled to court continuance, 757.13
 News sources; disclosure, exemption from subpoena, 885.14
 Oath, form, 906.03

Outside state, deposition, 887.26
 Personal knowledge, must have to testify, 906.02
 Prior statements, examination, 906.13
 Privilege, *see Privileged Communications*
 Religious beliefs or opinions, admissibility, 906.10
 Report, reading by expert, 907.07
 Subpoena, how issued, by whom, 885.01
 Testimony, with knowledge, examples of authentication or identification, 909.015 (1)
 Unavailability as, 908.04, 908.045
 Videotape procedure, *see Depositions*
 Videotaped oral statement of children, 908.08
 Writing used to refresh memory, 906.12

WRITS

Attachment, *see Attachment*
 Certiorari, *see Certiorari*
 Circuit court, how issued and served, 753.04
 Consultation, after hearing writ of prohibition, 783.12, 783.13
 Court of appeals, 752.01
 Courts devise necessary, 757.01
 English language, legibility, abbreviations, numbers, 757.18
 Error:
 Generally, Ch. 808
 Court of appeals, may be sought in, 808.02
 Procedure, *see Appellate Procedure*
 Extraordinary remedies, Ch. 781
 Fees of clerk of court, 814.61 (5)
 Injunction writ abolished, 813.01
 Ne exeat, 813.13 to 813.15
 Procedure, *see Appellate Procedure*
 Prohibition, Ch. 783
 Quo warranto, *see Quo Warranto and Scire Facias*
 Restitution in eviction actions, 799.44, 799.45
 Scire facias, remedy by action, 784.01
 Supreme court, 751.07

WRONGFUL DEATH

Damages, limitations, 895.04
 Damages against personal representative, 895.02
 Recovery, 895.03
 Recovery from wrongdoer's estate, 895.031
 Statute of limitation, 893.54
 Survival of actions, 895.01

