

Chapter 78

COURT, JOINT MUNICIPAL

[HISTORY: Adopted by the Town Board of the Town of Scott 8-8-2006. Amendments noted where applicable.]

§ 78-1. Court created.

Pursuant to the authority granted by Chapter 755 of the Wisconsin Statutes, there is hereby created and established a Joint Municipal Court to be designated "Brown County Joint Municipal Court," said court to become operative and function on August 1, 2006.

§ 78-2. Election of Municipal Judge; term. [Amended 7-7-2008]

- A. Term. The Municipal Judge shall be elected at large in the spring election in odd-numbered years for a term of four years commencing on May 1. All candidates for the position of Municipal Judge shall be nominated by nomination papers as provided in § 8.10, Wis. Stats., and selection at a primary election if such is held as provided in § 8.11, Wis. Stats. The State Elections Board shall serve as filing officer for the candidates.
- B. Electors. Electors in all municipalities that are parties to the agreement shall vote for judge.

§ 78-3. Qualifications, oath, bond and salary of Judge.

- A. Qualifications. The Joint Court shall be under the jurisdiction of and presided over by a Municipal Judge who resides in one of the municipalities that is a party to the agreement forming this joint court.
- B. Oath and bond. The Judge shall, after election or appointment to fill a vacancy, take and file the official oath as prescribed in § 757.02(1), Wis. Stats., and a bond. The Judge shall not act until the oath and bond have been filed as required by § 19.01(4)(c), Wis. Stats., and the requirements of § 755.03(2), Wis. Stats., have been complied with.
- C. Salary. The salary of the Municipal Judge shall be fixed by the Town Boards of the municipalities that are parties to the agreement, which shall be in lieu of fees and costs. No salary shall be paid for any time during the term during which such Judge has not executed the official bond or official oath, as required by § 755.03, Wis. Stats., and filed pursuant to § 19.01(4)(c), Wis. Stats. The municipalities may by separate ordinance allocate funds for the administration of the Municipal Court pursuant to § 66.0301, Wis. Stats.

§ 78-4. Operations.

Operations of the Brown County Joint Municipal Court shall be governed by Wisconsin Statutes and an agreement entered into by the member municipalities.

§ 78-5. Jurisdiction.

- A. The Municipal Court shall have jurisdiction over incidents occurring on or after August 1, 2006, as provided in Article VII, § 14, of the Wisconsin Constitution, §§ 755.045 and 755.05, Wis. Stats., and as otherwise provided by state law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement seeking to impose forfeitures for violations of municipal ordinances, resolutions and bylaws.
- B. The Municipal Judge may issue civil warrants to enforce matters under the jurisdiction of the Municipal Court under §§ 755.045(2) and 66.0119, Wis. Stats.
- C. The Municipal Court has jurisdiction over juvenile offenders when a municipality that is party to the agreement enacts an ordinance under the authority of § 938.17(2)(cm), Wis. Stats. (See § 78-6 below.)

§ 78-6. Juvenile dispositions and sanctions.¹

- A. For a juvenile adjudged to have violated an ordinance, the Municipal Court is authorized to impose any of the dispositions listed in §§ 938.343 and 938.344, Wis. Stats., in accordance with the provisions of those statutes.
- B. For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the Court under § 938.343 or 938.344, Wis. Stats., the Municipal Court is authorized to impose any of the sanctions listed in § 938.355(6)(d), Wis. Stats., in accordance with the provisions of those statutes.
- C. This section is enacted under the authority of § 938.17(2)(cm), Wis. Stats.

§ 78-7. Court hours and employees.

- A. Hours. The Municipal Court shall be open at such location and at such times as determined by the governing bodies of the municipalities that are parties to the agreement and the Municipal Judge.
- B. Employees. The Judge shall, in writing, appoint such clerks and deputy clerks as are authorized and funded by the Town Boards of the municipalities that are parties to the agreement.

§ 78-8. Collection of forfeitures and costs.²

The Municipal Judge may impose punishment and sentences as provided by Chs. 800 and 938, Wis. Stats., and as provided in the ordinances of the municipalities that are parties to the agreement. All forfeitures, fees, assessments, surcharges and costs shall be paid to the

¹. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

Treasurer of the municipality within which the case arose within 30 days after receipt of the money by the Municipal Court. At the time of the payment, the Municipal Court shall report to the Treasurer the title of the action, the nature of the offenses and total amount of judgments imposed in actions and proceedings in which such monies were collected.

§ 78-9. Contempt of court.³

The provisions of § 800.12, Wis. Stats., relating to Municipal Court contempt procedures, are hereby adopted as if set forth herein in full.

§ 78-10. Abolition.

The Municipal Court hereby established shall not be abolished while the § 755.01(4), Wis. Stats., agreement is in effect.

³. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).