

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 0 - 1

Yeas: Close, Dingfelder, Kruse, Prozanski

Nays: 0

Exc.: Roblan

Prepared By: Mike Schmidt, Counsel

Meeting Dates: 2/26, 2/28

WHAT THE MEASURE DOES: Directs appellate court to notify parties of appeal when appellate court receives corrected or supplemental judgment from trial court. Provides that party may appeal from corrected or supplemental judgment within 30 days from date appellate counsel receives notice of judgment. Allows that appellant can send a "notice of intent to proceed with the appeal" which alerts appellate court to existence of new judgment even though new provisions are not being challenged on appeal. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Supplemental judgments can shift timelines and effect notice to parties

EFFECT OF COMMITTEE AMENDMENT: Changes deadline for filing an amended notice of appeal from a corrected or supplemental judgment to date that appellate counsel receives notice of the new judgment.

BACKGROUND: Currently the appellate clock starts when the judgment is entered. However, the timeline can be altered if a supplemental judgment is entered. A problem may occur when the attorney handling the appeal may not be the attorney who handled the trial court action. This leads to the appellate attorney not always receiving notice of the supplemental judgment, and thus not always being informed of the shifting timeline. This bill would make the deadline dependent upon the date that appellate counsel gets notice of the judgment.