

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski
Nays: 0
Exc.: 0
Prepared By: Mike Schmidt, Counsel
Meeting Dates: 4/23

WHAT THE MEASURE DOES: Makes clear that “five days” means five “judicial” days when computing when an in custody defendant must be arraigned.

ISSUES DISCUSSED:

- Currently holidays and furlough days are counted against the deadline for indictment, this is particularly burdensome in small counties

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Without the modifier “judicial” in this statute, it was unclear to courts whether weekends and holidays should be taken into account for purposes of scheduling arraignments for defendants in custody. When weekends and holidays are part of the computation, it can cause backlog and very large dockets especially on the first judicial day following a holiday weekend.